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THE

JAMMU AND KASHMIR PRAJA SABHA DEBATES

(Official Report)

VOLUME V.

PART I

(5th to 17th October 1936)

FIFTH SESSION

OF THE

FIRST J. & K. PRAJA SABHA.

JAMMU:

Printed at The Ranbir Government Press—25-5-94—150.

1937.

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Jammu and Kashmir Praja Sabha.

President:

THE HON'BLE SIR BARJOR DALAL KT., BAR-AT-LAW,
I. C. S., (RTD.).

Secretary:

PANDIT HIRANAND [illegible] B.
[illegible]

Assistant Secretary:

MR. MOHD. NASIR-UD-DIN KHAN, B. A., LL. B.

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JAMMU AND KASHMIR PRAJA SABHA.

Monday the *5th October 1936.* / *20th Assuj 1993.*

The Praja Sabha met in the Praja Sabha Chambers at Rajgarh Palaces at Eleven of the Clock.

Mr. President (The Hon'ble Sir Barjor Dalal Kt.) in the Chair.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Gentlemen, I have been fortunate enough to have the opportunity today of welcoming you once again. On account of the friendly relations that have existed between us for the last two years I have become so much interested in this work that I always look forth to this day. Four sessions of this Sabha have passed and in view of the public welfare, the work of all these sessions had been smoothly done. I pray to Almighty that this session too may pass smoothly.

The Praja Sabha Secretary then called the following gentlemen who took the prescribed oath of allegiance to

1. Raja Mohammed Afzal Khan, the Illaqadar of Kashmir.
2. Captain R. G. Wreford, in Britain, Kashmir Valley, Food Control Department.
3. Lala Hans Raj Vakil.

NOTE.—There were prolonged cheers from the non-official benches when this gentleman took the oath.

4. Khawaja Salam Shah, Treasury Officer, Kashmir.

The Hon'ble President then read out to the House in Urdu, the following letter of the Hon'ble Resident in Kashmir conveying His Majesty the King Emperor's thanks for the condolence resolution passed by the Praja Sabha on the sad demise of His Most Gracious King George V. (All members standing)

The Residency,
Kashmir.

D. O. No. F. 25/36. *Srinagar, the* 10*th June* 1936.

My dear Sir Barjor,

In continuation of my demi-official letter No. F. 25/36, dated the 28th March 1936, I write to inform you that the Government of India intimate that the Resolution of condolence passed

by the Praja Sabha, Jammu and Kashmir, was laid before His Majesty the King Emperor who has commanded that his thanks may be conveyed to the Sabha.

Yours sincerely,
L. E. Lang.

Sir Barjor Dalal, Kt.,
PRESIDENT,
Praja Sabha, Jammu and Kashmir, Srinagar.

The Secretary then read out his report in Urdu regarding the Bills which had received the assent of His Highness the Maharaja Bahadur.

The report is reproduced hereunder :—

"Sir, it is a practice in all the Assemblies and Councils that at the commencement of the session the Secretary reads a report, for the information of the members, submitting therein the Bills which were passed by the Praja Sabha and which have received the Royal assent. So far such a report has not been submitted to the Praja Sabha. With your permission, Sir, I therefore read out to the House my report relating to the Bills, passed by the Praja Sabha in its last Jammu session March-April 1936, which have received the assent of His Highness the Maharaja Bahadur. I also submit that in fut[illegible] will be submitted regularly at the commen[illegible]ry session.

		Date of Assent.
1.	Regulation to amend the Octroi Regulation of 1958, X of 1992 ...	26th March, 1936.
2.	Criminal Law Amendment Regulation 1 of 1993 ...	7th April, 1936
3.	Right of Prior Purchase Regulation 11 of 1993 ...	9th April, 1936.
4.	A Regulation to amend the Code of Civil Procedure (Regulation X of 1977) III of 1993 ...	29th April, 1936.
6.	A Regulation to amend the Jammu Alienation of Land Regulation VI of 1990, IV of 1993 ...	29th April, 1936.
6.	A Regulation to amend the Cinematograph Regulation XIV of 1989, V of 1993 ...	29th April, 1936.
7.	A Regulation to amend and consolidate the Law relating to Co-operative Societies, No. VI of 1993 ...	14th May, 1936.

Regulation.	Date of Assent.
8. The Government Aid to Agriculture and Land Improvement Regulation VII of 1993 ...	14th May, 1936.
9. Amendment to the Motor Possession Tax Rules, Regulation VIII of 1993 ...	24th June, 1936.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Now copies of the detailed budgets will be laid on the table of the Praja Sabha.

(The copies of the budgets of the State and of the Illaqas of Poonch and Chenani were laid on the table of Praja Sabha).

QUESTIONS AND ANSWERS.

NOTE.—Pt. Ram Nath Sharma, Judicial Secretary and Wazir Feroz Chand, Wazir of Poonch read out answers on behalf of the Hon'ble Prime Minister and Hon'ble Revenue Minister respectively. Wazir Feroz Chand, however, read out only the answers pertaining to Poonch Illaqa

1. SUBEDAR KHAN MOHAMMED KHAN (Bagh Sudhnuti, Poonch-Muslim) : (*a*) Do Government know that in guarding the Lachman Pattan treasury, Feroz Khan, a retired Havaldar of British Forces, who was in receipt of Rs. 13 per mensem as pension, was murdered by the decoits on 17th March 1934 and that he left behind a widow, a daughter and a minor son? What help did Poonch Government provide for them?

(*b*) Is it a fact that the Superintendent Police, Poonch, recommended the grant of a pension of Rs. 5 per mensem to each of the survivors? If it be a fact, what decisio[illegible] arrived at?

THE HON'BLE RAI BAHADUR PAN[illegible] the Illaq[illegible] RAM (Revenue Minister) : (*a*) *1st part.*—Yes. in Br[illegible]

2nd part.—40 kanals of land have be[illegible]mitted to the surviving members of the deceased Havaldar Feroz Khan. Besides, a Mukarrari of Rs. 5 per mensem has been sanctioned in favour of his widow for her life.

(*b*) *1st part.*—Yes.

2nd part.—The action taken by the Poonch Administration is given under (*a*) part 2nd of this question above.

2. SUBEDAR KHAN MOHAMMED KHAN : (*a*) Is it a fact that the term of service of the present Accounts Officer is about to expire? If the answer to the above be in the affirmative, are Government prepared to depute some agriculturist Muslim graduate for training for this office?

(*b*) Did Mohammed Ibrahim Khan, B. A., resident of Rehari petition the Wazir Poonch for his deputation for that training? If it be a fact, what reply was given to him?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) *1st part.*—No. The present Accounts Officer is only 46 years old and he has still to put in another 9 years before superannuation.

2nd part and (*b*) In face of reply to 1st part of (*a*) above, these parts of the question do not arise. All the same Mohammed Ibrahim Khan has been appointed Inspector in the Co-operative Department.

3. MIAN QURBAN AHMED (Kathua :Muslim) : (*a*) Will the Hon'ble Prime Minister please state how many petitions he has received from the Kathua Muslims for the redress of their grievances and what action has been taken on them?

(*b*) If no action has been taken, what are the reasons?

PANDIT RAM NATH SHARMA (On behalf of the Hon'ble Prime Minister) : (*a*) Three applications were received from the Muslims of Kathua regarding :—

1. Construction of mosque at Parol,
2. Construction of mosque at Budhi, and
3 Complaint against a Hindu Zaildar.

The question regarding Parol mosque has since been decided.

As regards the mosque at Budhi it has been reported that the Muslims of the place do not possess any land of their own and it has not therefore, been possible to accede to the request of the Muslims. The Governor Jammu, is however trying to settle the matter.

The complaint against the Zaildar has been forwarded to proper quarters for action.

(*b*) Does not arise.

4. MIAN QURBAN AHMED : Will the Hon'ble Revenue Minister please st[illegible]

(*a*) How[illegible]he Gazetted Revenue officers in Kathua Dist[illegible]uslims? and

(*b*) How [illegible] of the non-gazetted Revenue officers are Muslims? Will the Hon'ble Minister please state the number of Moharrirs?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) :

(*a*)	Gazetted Revenue officers	... One
(*b*)	Non-gazetted Revenue officers	... One
	Moharrir	... One

MIAN QURBAN AHMED : In my question I had enquired about the number of Muslims. The number of Muslims has not been stated. Can I get this information?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : Yes. You can get it.

5. SUBEDAR KHAN MOHAMMED KHAN : (*a*) Did Poonch Government depute the present Tehsildar, Sardar Syed Hussain Khan, B. A. (Alig.) for Judicial and Revenue training to Jammu and Kashmir State and did he pass the requisite examination? Has he been discharging his duties honestly and efficiently for the last five or six years?

If the answer be in the affirmative, why was Kapur Singh appointed Revenue Assistant when he had failed in the examination and had absolutely no claim to service in the Revenue Department and when so deserving a person as Sardar Syed Sussain Khan was available?

(*b*) If no examination is required to fill such a responsible post, what was the necessity of sending Kapur Singh for training on a scholarship of Rs. 120 per mensem when a trained graduate was available?

(*c*) Is the appointment of incompetent persons to responsible posts not the cause of discontent in Poonch? Are Government prepared to consider this matter and remove this defect?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) *1st part*.—The reply is in the affirmative except that Sardar Syed Hussain Khan has not passed the requisite examination completely.

2nd part.—Thakur Kapur Singh, B. A., S. P. T. Secretary to Raja Sahib was selected by the late Wazir Khan Bahadur Syed Mir Hussain Shah for the post of Chief Revenue Officer but as he has failed to qualify himself for the post, he has been absorbed on the lower post of Revenue Assistant. He has completed successfully the Judicial and Revenue training.

(*b*) and (*c*) In view of reply to (*a*) above, these parts of the question do not arise.

6. MIAN QURBAN AHMED : (*a*) Will the Hon'ble Judicial Minister please state what is the numb[illegible] the Illaqa Gazetted Judicial Officers in Kathua and how many of th[illegible]in Br[illegible]lims?

(*b*) If the answer to the above [illegible]min[illegible] negative, will he please make up the deficiency?

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM (On behalf of the Hon'ble Judicial Minister) : (*a*) One. He is Hindu.

(*b*) There is no Mohammedan Subordinate Judge who can be spared and posted to Kathua.

7. SUBEDAR KHAN MOHAMMED KHAN : Will Poonch Government please lay on the table a list showing the number of women abducted from Illaqa Poonch from the beginning of 1990 to the end of Har, 1993, excluding the number of abduction cases in which investigation was started by the Police under sections 366/363 R. P. C.? If it be a fact that a large number of women were abducted during this period, what preventive measures did Government adopt in this behalf? Will Government please take steps in future to prevent this disgraceful and peace disturbing offence?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The requisite data is not available. Steps will be taken to ascertain these figures and if these warrant, suitable measures will be adopted.

8. SUBEDAR KHAN MOHAMMED KHAN : (*a*) Do Poonch Government know that there is no factory in Illaqa Poonch to promote industrial development and create an interest among the zamindars so as to remove distress and unemployment among them?

(*b*) Do Poonch Government know that during the control of the Residency the then Wazir Nawab Chaudhari Mohammed Din realizing this need inaugurated an exhibition in Illaqa Poonch? If the answer be in the affirmative, on what grounds did Government not keep a-going this beneficent institution? Are Government prepared to revive it?

(*c*) Are Government aware that the industries such as cloth-weaving, shoe-making, blacksmithy, trade, pottery etc., which had been carried on a moderate scale according to the needs of the agriculturists in every village in Illaqa Poonch from very old times are also closing down under some definite motives, which is causing serious loss to the country?

(*d*) Will Government please inaugurate an exhibition in Poonch on the analogy of the Punjab and Jammu and Kashmir State with a view to stimulate an interest in industry among the zamindars, to solve to a certain extent the problem of unemployment and to bring back prosperity to the land?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Yes.

(*b*) Yes. Such exhibition was held in the year 1976. There is nothing on record to show why this exhibition was not continued and made [illegible] function. The question of holding such an exhibition [illegible] onsidered.

(*c*) No. Th[illegible] mentioned are continuing as heretofore.

(*d*) This part of the question is disposed of by reply to part (*b*) above.

9. CHOUDHARI ABDUL KARIM (Mirpur-Kotli:Muslim) : Is it a fact that there is a great scarcity of drinking water in Illaqa Kandi Mirpur? What steps have Government so far taken to remove this inconvenience?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : (*a*) A sum of Rs. 20,000 was sanctioned in the P. W. D. budget for 1992-93 and this amount was supplemented by an amount of Rs. 8,000 from the Sanitation Cess Fund making a total of Rs 28,000 in all.

This amount was allotted for the following works :—

		Rs.
1.	Construction of well at Danoh, Tehsil Jasmergarh ...	9,147
2.	Construction of well at Chak Bhawan, Tehsil Akhnur ...	7,400

		Rs
3.	Repairs to a tank and construction of a ghat at village Garh Sohel, Tehsil Akhnur	1,000
4	Construction of well in village Akalgarh, Tehsil Mirpur ...	6,606
5.	Completing the remaining portion of Manawali well in village Deva, Tehsil Bhimber ...	3,717
6.	Completing the remaining portion of well at village Vatala, Tehsil Bhimber ...	279
	Total ...	29,149

10 SUBEDAR KHAN MOHAMMED KHAN : Are Government aware that the Poonch zamindars are totally ignorant of the principles of agriculture and that due to this ignorance they cannot reap full profits from their small holdings which is responsible for permanent scarcity in the land?

Are Government prepared to send some agriculturist Muslim graduate to the Agriculture College Lyallpur for training in Agriculture so that the Poonch agriculturists may benefit by his services? To meet this need, there are available a large number of unemployed matriculates and five graduates from among the Agriculturist Muslim class?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : *1st part.*---The zamindars are unaware of the latest methods of agriculture but that is not the cause of the scarcity of grain in some parts of the Illaqa. The residents of these parts of the Illaqa (Sudhnuti and Bagh Tehsils) mostly depend on service in British India and do not attend to agriculture as thoroughly as zamindars of other Tehsils, where the yield is sufficient, do.

2nd part.—The question of deputing persons for agricultural training will be considered when finances permit. There is no record of matriculates and graduates in the Poonch Illaqa.

11. MIAN QURBAN AHMED : Will the Hon'ble Revenue Minister please state what is the number of students admitted to the Patwar School? How many of them belong to Kathua District and how many of them are Muslims and how many zamindars?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) :

Total admitted ... 93

	Total.	Muslims.	Zamindars.
Belonging to Kathua ...	30	9	26

MIAN QURBAN AHMED : Are not the zamindars Muslims?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Both Hindus and Muslims are zamindars.

MIAN QURBAN AHMED : My question is as to how many of these zamindars are Muslims?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You have not enquired as to how many of the zamindars are Muslims.

12. MOULVI MOHAMMED ABDULLA (Shah Hamdan, Srinagar City :Muslim) : (*a*) Is it a fact that in the opinion of the Government the existing Praja Sabha has been constituted as has been stated in the last session in reply to a question Q. D. No. 128 for the purpose of associating the subjects in administration? (*Vide* S. No. 25 of 16th March, 1936).

(*b*) If the answer to part (*a*) be in the affirmative, is it a fact that there is an overwhelming majority of official votes as against the public votes in the Praja Sabha?

PANDIT RAM NATH SHARMA (On behalf of the Hon'ble Prime Minister) : (*a*) Yes.

(*b*) No. There are only 12 official members out of the total of 75 members.

MOULVI MOHAMMED ABDULLA : My question does not relate to the members. What I ask is whether Government have a majority of votes in the Praja Sabha?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The opinion of the Government is sound and therefore it should dominate.

MOULVI MOHAMMED ABDULLA : My question is as to whether the official members are on our side or not?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : If your view is sound you are also on our side. (Laughter)

13. CHOUDHARI ABDUL KARIM : (*a*) Is it a fact that the zamindars of Mouza Jamoi, Tehsil Mirpur were not recorded occupancy tenants under any landlord at the time of the Settlement of 1928 or 1956? How did they later on come to be under the landlords---Nand Lal, Motiram and others?

(*b*) Is it not in that case an invasion on their rights? If they have, in fact, suffered a loss, what protection have Government afforded to their rights? If no protection has been afforded, will Government please state reasons?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) At the time of Settlement of 1956, zamindars of Jamoi were recorded occupancy tenants of class B under Nand Lal etc. occupancy tenants class A. On the grant of rights in the State in 1990, Nand Lal etc. became proprietors and the zamindars continued as occupancy tenants of Nand Lal and others.

(*b*) Does not arise.

14. CHOUDHARI ABDUL KARIM : (*a*) Is it a fact that on the

arrangements of water supply in Kotli town, money is spent out of the Dharat Fund and the benefit of this money is confined only to the Hindus?

(*b*) Is it a fact that throughout Muslim mohallas in Kotli there is only one pipe installed near the mosque and that too has been put up by the Muslims themselves by raising subscriptions for the purpose?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) No.

(*b*) In Kotli town there are six taps in all. One near Tehsil, one in the Hospital, two in the Hindu mohallas and two in Muslim mohallas near the mosque. This mohalla near the mosque is the only compact Muslim mohalla. The rest of the two taps in Hindu mohallas are used by Hindus and Muslims living in these mohallas jointly.

The pipe near the mosque was put up by subscription among the Muslims on the analogy of the two taps in Hindu mohallas which are similarly subscribed to by the Hindus. This arrangement was also approved by the Hon'ble Public Works Minister.

15. CHOUDHARI ABDUL KARIM : (*a*) Is it a fact that all the roads leading to the bazars and mohallas at Kotli are closed and locked up during the night?

(*b*) Are these roads closed by the orders of the Government? If it is so, is it not causing inconvenience to the public?

(*c*) If a person belonging to one mohalla has to go to the other mohalla at night for an urgent work or has to go to a physician or a doctor and to bring him to his own house, in such case, he cannot do so. Can it be expected that the roads will remain open for these purposes?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : (*a*) Yes. Since the last disturbances (1931) there are 11 gates to the Hindu mohallas of Kotli which are closed at 10 P. M. and opened at 4 A. M.

(*b*) No.

(*c*) The gates can be opened at any time by asking the chowkidar to do so. Better relations between Hindus and Muslims are sure to remove these restrictions in course of time.

MIAN QURBAN AHMED : Have the people submitted any application for closing traffic into the city?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : Yes, they had themselves brought an application.

16. MIAN QURBAN AHMED : (*a*) Will Government please state whether there is any Muslim Zaildar in Kathua District?

(*b*) If the answer to the above be in the negative, are Government prepared to give a sympathetic consideration to the application of a deserving Muslim? If not, why?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) No.

(*b*) The member Praja Sabha is referred to the reply to the 2nd part of Q. D. No. 664 of the March-April 1936 session of the Praja Sabha. The conditions in Jammu Tehsils and Kathua are almost identical.

17. MIAN QURBAN AHMED : Will the Hon'ble Revenue Minister please state whether some area in village Parol, Tehsil Kathua known as Mirpur Ram Nakkian has been given on lease at a rent of one anna per rupee?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : Yes, 1,332 kanals of land with a revenue of Rs. 949/3/- and Malikana Rs. 59/2/- at one anna per rupee, situated in village Mirpur Nakkian has been given on lease before Settlement.

MIAN QURBAN AHMED : Will the contract be not sanctioned in favour of a person who offers to pay 2 annas per rupee instead of one anna per rupee?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : The contracts that have been sanctioned cannot be reconsidered. This is decided at the time when application is made for the grant of lease.

18. CHOUDHARI ABDUL KARIM : Will the Government please state as to what is the total population of the Kashmiri castes in Mirpur and Kotli? If their chief occupation is agriculture, what are the reasons for declaring them as non-agriculturists?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : 2,000 and 1,793 in Mirpur and Kotli respectively. Their chief source of livelihood is not agriculture and therefore the last part of the question does not arise.

MIAN AHMED YAR (Muzaffarabad : Muslim) : Do not Government admit the fact that a only class, majority of which are agriculturists and depend for their livelihood on agriculture, are to be declared agriculturists? During the Jammu session it was admitted that any class the majority of whose members depend on agriculture or which has agriculture as the only occupation will be declared as agriculturists? Has the matter been enquired into?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : Yes, it has been enquired.

19. CHOUDHARI ABDUL KARIM : Is it a fact that there is one mosque at Kotli the possession of which has not been given to the Mohammedans when such other places have been given over to the Mohammedans. Will the Government state why this mosque has not been made over to them? If there is no reason for that what objection the Government have in giving this mosque over to the Mohammedans?

PANDIT RAM NATH SHARMA (On behalf of the Hon'ble Prime Minister) : (*a*) Yes.

(*b*) Because it is situated right inside the Hindu locality and cannot be made over for ordinary use of Mohammedans. The mosque is being maintained as an ancient monument.

20. KALOON LABZANG CHEWANG (Ladakh Wazarat : Buddhist) : Will Government be pleased to remove the inconvenience of the zamindars of village Khalse (consisting of 16 houses) in Tehsil Ladakh, which are experienced by them on account of the presence of Post and Telegraph office, in procuring necessaries, for the Government servants and visitors who stay in that village, and will Government issue orders to the effect that in future all those who stay in that village will themselves have to arrange for their necessaries from outside and that nothing should be demanded from the zamindars?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : Branch Post Master is a local man. He requires nothing except grain and fuel which he gets from Lamayaru Granary. Telegraph office hardly does any business. Travellers do not generally halt at Khalse and arrange their requirements from outside.

Wazir Wazarat, Ladakh reports that the zamindars of Khalse are not put to any inconvenience. There is, therefore, no necessity of issuing any orders.

KALOON LABZANG CHEWANG : They are undergoing great hardships.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : We have received a report from the Wazir that there is

KALOON LABZANG CHEWANG : They have great hardships.

KALOON LABZENG CHEWANG : They have great hardships. We can quote instances.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You should give some concrete case. He will then be directed accordingly.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : You should give in writing.

MAJOR GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : Perhaps he means that as there is a Dak Bungalow at Khalse why is it then that they stay in the Telegraph office and not in the Dak Bungalow. I think he means that because I know that there is a rest house.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : Perhaps they do not stay in the Dak Bungalow because of greater expenses?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : All right, it has been stated that orders like this will be issued from here.

21. LALA SHIV NATH NANDA (Srinagar City :Hindu other than Kashmiri Pandits) : Is it a fact that our Government is intending since long to provide a common market near Amirakadal and concerning which some questions have also been asked in a session of the Praja Sabha? (*Vide* No. 105 on page 181 of Volume III-A Part I of Jammu and Kashmir Praja Sabha Debates). In reply to these it was stated that this scheme will be completed very soon. If the reply be in the affirmative, will the Hon'ble Revenue Minister state how much more time will be required for the preparation of this ordinary scheme?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI (Finance Minister) : Yes, the proposal of the construction of a Common Market at Amirakadal is under consideration. Formal decision in the matter will be taken up next year. This land is at present being used as a Lorry Stand under Government orders.

LALA SHIV NATH NANDA : My submission is as to whether a sum of Rs. 2,500 could suffice for the visitors who were a source of an income of 2 crores of rupees?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI (Finance Minister) : You can yourself can see that the number is increasing. A sum of Rs. 200 has been spent on advertisements alone.

22 LALA SHIV NATH NANDA : In the previous sessions of the Praja Sabha, many questions have been asked that efforts should be made to provide the maximum facilities to the visitors so that a still larger number of visitors may be attracted to Kashmir and that some special scheme may be carried into effect for this purpose?

If the reply be in the affirmative, will Government please state whether they have any scheme in view? If not, will Government consider the desirability of appointing a committee consisting of the official and non-official members which may be able to put before the Government a scheme for providing facilities to the visitors?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI (Finance Minister) : In order to attract a still larger number of visitors to Kashmir a post of a journalist cum artist has been created in the Visitors Bureau. Besides this an amount of Rs. 2,500 has been sanctioned by the Government to meet the advertising charges etc: for which a scheme is already under consideration. Apart from this several fresh facilities have recently been sanctioned by Government on the recommendation of the Customs Department with a view to attract as large a number of visitors to Kashmir as possible. With the same object the Possession Tax formerly recovered from visitors has recently been remitted by the Government and the question of the reduction in the rate of Road Toll is also under consideration of Government.

(*b*) Does not arise.

23 KALOON LABZANG CHEWANG : The kuhl of the village Yagjum, Tehsil Ladakh which is situated on the bank of the river Shayuk has been washed away thrice by the floods in the Khamadan lake. The said kuhl passes by the foot of a mountain and contains very small quantity of water which cannot fully irrigate the lands of this village. The zamindars of this village were already very poor but now they are in an extremely miserable condition. Will the Government show kindness to the poor zamindars of this village by granting at least Rs. 400 or Rs. 500 for the improvement of the kuhl?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister : Entire cultivated area of Yagjum village has been washed away this year. The existing kuhl can irrigate the whole of the remaining area when this is brought under cultivation by zamindars.

24. KALOON LABZANG CHEWANG : As the Wazir Wazarat in District Ladakh is transferred after every three years, therefore these officers do not get an opportunity to think over the welfare and advancement of this district, on account of the fact that it takes them three years to acquaint themselves with the Illaqa and they are transferred in the third year with the result that only those Government gardens which were laid during the times of Mehta Mangal Singh Sahib and the trees planted therein, are to be found and there has not been the least improvement in this direction; on the other hand those which were planted in the past are being destroyed. Therefore, have the Government any objection in extending this period to at least seven years?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : It is not advisable to extend the term of Frontier duty from 3 to 7 years. The Revenue officers posted to the Frontier Districts have been taking due interest in the local affairs entrusted to their respective charges. As regards the plantation of new trees, this work has been taken up in right earnest under instructions of the Government. The reports received from the Wazir Wazarat, Ladakh show that a large number of fuel trees have been planted by this time and that the work is progressing further satisfactorily.

25. LALA SHIV NATH NANDA : It is stated that many pension cases are pending in the Accountant General's office even upto the present time and that on account of their not being decided, Government servants who have been retired since long are much harassed. If the reply be in the affirmative, will the Hon'ble Finance Minister appoint a committee from his establishment, which may decide the old cases very speedily?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI (Finance Minister) : No pension case is pending in the Accountant

General's office. In order to mitigate hardship to pensioners Government have already approved of the grant of 'anticipatory pension to them.

Does not arise.

26. WAZIR MOHAMMAD KHAN OF ASTORE (Gilgit Wazarat :Muslim) : Whenever any question relating to the cultivation of the uncultivated area is brought before this House, the Government issues orders to the local officers to make an inquiry but the officers give no reply ; for instance, in the last Srinagar session of the Praja Sabha, I asked a question (*vide* question No. 687 on page 279 of the Volume III-A, part II of the Jammu and Kashmir Praja Sabha Debates) about the Lazang Kuhl near Lus village, but I have not received any reply as yet. What is the reason?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister : Every effort is made to give the requisite information to the member of the Praja Sabha. The statement is groundless.

As regards the member Praja Sabha's Q. D. No. 905 of the autumn 1933 Srinagar session regarding the Lazang kuhl, promised to be given in the current session, the reply is as follows :—

(*a*) Yes. The Kuhl was 12 miles long.

(*b*) Owing to steep sandy hills, water channel cannot be maintained. This portion can be bridged by aqueducts but necessary timber is not available close by. Anyway, the P. W. D. will be asked to report on the feasibility of reviving this Kuhl.

27. MOULVI MOHAMMAD ABDULLA : (*a*) Is it a fact that the Government admitted the fact stated in part (*a*) of the question No. 386 (Q. D. No. 156) of the last session asked on 26th March 1936?

(*b*) If the answer to (*a*) be in the affirmative, is it a fact that according to the intentions of His Highness' Government "the concerned villagers" are persons who are the inhabitants of the village and own Khatas?

(*c*) If the answer to (*b*) above be in the affirmative, is it a fact that during the last session the Government admitted in reply to Q. D. No. 156 that an inhabitant of a village has not been defined as that inhabitant of the village who owns a Khata?

(*d*) If the answer to part (*c*) be in the affirmative, will Government please state as to how this contradiction and difference can be removed?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) Yes.

(*b*) (*c*) and (*d*) The Government has on different occasions made it clear both in the Press and on the floor of this Sabha that

the concession was intended for all persons who had acquired *Assami* rights in the village upto Kharif 1982. The criterion for enjoyment of boon No. 4 is the possession of *Assami* rights and not residence in a village.

MOULVI MOHAMMAD ABDULLA : Please give the reply to my question, I have been given a reply which is at variance with the definition of an inhabitant of village given in the notification by the command of His Highness the Maharaja Bahadur. Why is it that the definition enquired in part (*c*) is different? Why has the definition given by His Highness the Maharaja Bahadur been cancelled? As defined by His Highness the Maharaja Bahadur an inhabitant of village is one who resides and owns Khata in a village. The notification contains a definition of such an inhabitant of village, I would enquire as to how is it that it is so different?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : Efforts have already been made to explain this matter fully. Now the point is that the words "inhabitants of village" contained in the original are explained under command of His Highness the Maharaja Bahadur. Accordingly Mr. Middleton in consultation with Khan Sahib Agha Syed Hussain did so and it was after much deliberations that they came to a conclusion as to how can the words "inhabitant of village" be explained. The Middleton Report received the assent of His Highness the Maharaja Bahadur about which you have already been informed. Next regarding the discussions as to what do you want in this behalf and as to what it should be, you should bring a resolution in the proper manner for this purpose so far as mere information is concerned you have been given.

MOULVI MOHAMMAD ABDULLA : I have not gone into arguments.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : It is an argument. You can bring a resolution for that.

MOULVI MOHAMMAD ABDULLA : What has been stated is not the reply to my question. What I say is that on earth there can be no explanations of a definition. I enquire as to whether the definition given by His Highness the Maharaja Bahadur has been cancelled or not?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : It has been cancelled.

28. WAZIR MOHAMMAD KHAN OF ASTORE (Gilgit Wazarat : Muslim) : In the last session the Government sanctioned a Middle school for Illaqa Astore but no practical steps have been taken in this respect as yet? Will orders be issued for starting a school in Tehsil Astore proper immediately so that the students of this village may not be deprived of education?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) :

The question of opening a Middle school at Astore is under consideration.

29. MOULVI MOHAMMAD ABDULLA : (*a*) Are Government aware that there is ten or eleven lac acres of *Shamilat* in Kashmir Valley and there is twenty lac acres of Khalsa land in the Nōrthern Wazarat and twenty-two lac acres in the Southern Wazarat as has been stated in the "Albarq" dated 12th June 1936?

(*b*) If the answer to part (*a*) be wholly or partly in the affirmative, is it a fact that the *Shamilat* includes uncultivable area, graveyards, roads, Kuhls etc. and that the Khalsa land is cultivable?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) The "Albarq" of 12th June 1936 is not before us. The figures given in the question are incorrect and very much exaggerated. The total *Shamilat* in the Kashmir Valley is over 3 lakhs and 4 thousand acres whereas the total Khalsa area in the whole Valley aggregates to one lakh twenty-eight thousands and odd acres.

(*b*) Yes. The *Shamilat* does include grave-yards, roads, Kuhls where *Nautor* is prohibited; excluding these areas, the rest is mostly cultivable. Khalsa area also includes uncultivable lands such as Camping-grounds, Rakhs and lands reserved for Government purposes, roads, rivers, and Nullas etc.

30. MOULVI MOHAMMAD ABDULLA : (*a*) Are Government aware that cases regarding 2,360 acres only of the total area reclaimed by the zamindars from the Khalsa land have been enquired into and that cases of the remaining sixteen hundred villages have not been looked into?

(*b*) Have the zamindars been punished and ejected from the lands reclaimed and occupied by them from the Khalsa area?

(*c*) Is it a fact that from the lands which were termed as unauthorised *Nautors*, broken areas have been granted to Jagirdars; such as, Beli Ram, Khajoor Singh, Sohan Singh etc?

(*d*) Are Government prepared to restore the *Nautor* areas to the zamindars on suitable terms after realizing the fine from them?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) The particular area and villages have not been specified in the question, in the absence of which no definite reply can be given.

(*b*) If the Praja Sabha Sad means ejection from *Nautor* "*Najaiz*", then the reply is in the affirmative.

(*c*) No unauthorised *Nautors* have been granted to the Jagirdars mentioned in the question. Only *Khud-Kasht* and residential units have been granted to them out of the Khalsa area.

(*d*) Does not arise.

31. LALA SHIV NATH NANDA : Is it a fact that the present

system of education is confined to Government services on account of the fact that the education imparted in the schools and colleges is not such as many encourage the students to take to trade, industry or agricultural profession?

If the reply be in the affirmative, will the Government make arrangements for providing agricultural and commercial education in schools and colleges along with other education, so that, after completing the college education, the youngmen may be able to earn their livelihood?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : Generally speaking it is true that the education imparted in schools and colleges does not encourage the students to take to trade, industry or agricultural profession. As an experimental measure agricultural education is being introduced in certain Middle and High schools.

LALA SHIV NATH NANDA : Sir, I had written the word (Tajarat) in my question. I have not received any reply to this.

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : Certainly it can be given.

LALA SHIV NATH NANDA : Has any arrangement been made so far.

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : No arrangement has so far been made for this.

LALA SHIV NATH NANDA : Will Government now make arrangements for this?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : This will be considered.

MAJOR GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : The difficulty is as to where are Ghee and grains to be kept. (Laughter)

32. MOULVI MOHAMMAD ABDULLA : (*a*) Is it a fact that a non-proprietor (*Gair Khevatdar*) has no rights in the village common-land?

(*b*) If the answer to (*a*) be in the affirmative, is it a fact that the question of cancelling the mutation of the common-land sanctioned in favour of Diwan Onkar Nath Madan was under consideration?

(*c*) If the answer to (*b*) be in the affirmative, will Government please state how much land was granted to Diwan Onkar Nath under *Assami* rights, when was it granted and when the question of cancelling the mutation was taken into consideration whether before or after this matter was published in newspapers?

(*d*) Has the mutation been cancelled so far, or not?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) Yes.

(*b*) Yes.

(*c*) 146 kanals 16 marlas were sanctioned in favour of Dewan Onkar Nath and others in *Assami* rights on 1st Poh 1990. The question of cancelling the mutation relating to the grant of *Assami* rights was taken up on the motion of Revenue officers themselves, long before the matter appeared in the Press.

(*d*) Yes. In the orders issued for cancellation of mutation relating to *Assami* rights, it was further ordered by the Wazir Wazarat that Dewan Onkar Nath and others be shown as tenants-at-will under the State under mutation No. 362. As there are reported to be defects in this mutation also, the question has been referred to the Wazir Wazarat for review of this mutation as well, orders on which have not yet been passed.

33. MOULVI MOHAMMAD ABDULLA : (*a*) Does the Government know that in the "Albarq" of June 1936 it was stated that the Government is not the owner of land and that in Jammu Province ownership in land is not determined in the same way as in the Kashmir Valley?

(*b*) If the answer to (*a*) be in the affirmative, is it a fact that it was Mr. Lawrence who for the first time included waste areas into *Shamilat*?

(*c*) If the answer to (*b*) be in the affirmative, is it a fact that the object of denomination of the *Shamilat* area as Khalsa land during the revised Settlement was that non-residents of villages might benefit by becoming possessed of Chaks, Jagirs etc.?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : Yes.

(b) The member Praja Sabha is referred to reply to Q. D. No. 22 given in the autumn 1935 session of the Praja Sabha held in Srinagar.

(*c*) In face of reply to Q. D. No. 22 of the autumn 1935 session referred to above, the reply is in the negative.

MOULVI MOHAMMAD ABDULLA : My question is as to whether land can become the property of the Government or not. Never before was this question asked?

NOTE.—The Hon'ble President read out the question.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You have not asked this in the question but rather you had referred to "Albarq".

MOULVI MOHAMMAD ABDULLA : Sir, I had enquired this in part (*b*).

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : It has been stated about this that the reply is in the affirmative, that is to say that it was so published in the "Albarq".

MOULVI MOHAMMAD ABDULLA : I had enquired in part (*b*) as

to whether Mr. Lawrence had included Khalsa area in the *Shamilat*. In the reply given to this it has been stated that this belongs to the Government.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : In fact Mr. Lawrence entered it thus and you have been given a reply to this.

MOULVI MOHAMMAD ABDULLA : You should not bother yourself by reading over this reply. I had enquired whether land is the property of the ruler.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You should ask another question about this.

34 LALA SHIV NATH NANDA : (*a*) The daily Newspaper "The Martand" published in its issue of 25th Har 1993 that both the Hindus and the Mohammedans of Kotli, in order to give expression to their dissatisfaction against an Assistant Inspector of the Income Tax Department observed a common hartal on the 19th Har 1993.

(*b*) If the reply to this be in the affirmative, will the Hon'ble Finance Minister please state as to how far the news is correct and what were the reasons for the hartal and what action was taken against the officer?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI (Finance Minister) : (*a*) The Finance Minister has no such information.

(*b*) Does not arise.

35 SULTAN MOHAMMAD FEROZ-UD-DIN KHAN (Muzaffarabad Wazarat :Muslim) : Can the Hon'ble Revenue Minister facilitate the payment of land-revenue and grazing fee for the full year by realizing it in three equal instalments because the instalment payable in Magh is, on the one hand, double the instalment payable in Sawan and on the other, the grazing fee also has to be paid along with it?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : The existing instalments were fixed after due consideration and enquiry as to when it would be most convenient to the zamindars to pay the revenue. The chief harvest in Kashmir is Kharif, so major portion of the revenue and taxes are collected after the zamindar has reaped the fruit of his labours *i. e.* after Kharif. So the grazing fee also can be paid by zamindars after they have disposed of their stock of butter, ghee, wool, sheep, etc., which they generally do in autumn. As such it is about this part of the year that zamindars are in a capacity to pay Government dues. They have generally no other source of income and to fix instalments at other parts of the year might prove ruinous to them as they might in that case have to resort to borrowing loans and selling their indispensable livestock etc.

36. SULTAN MOHAMMAD FEROZ-UD-DIN KHAN : This is an admitted fact that revenue cases remain pending for years together and therefore the poor subjects are greatly harassed and have to bear good deal of expenses? Will the Hon'ble Revenue Minister pay special attention in this matter, so that like civil and criminal cases, there may be speedy disposal of revenue cases also?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : Attention of the member Praja Sabha is invited to the reply given to question No. Q. D. 115 by Sardar Mal Singh in the last session of the Praja Sabha held at Jammu. Instructions for the speedy disposal of work already exist and quarterly progress reports of work done are regularly submitted by the local officers for check and remarks.

37. LALA SHIV NATH NANDA : In the last Jammu session of the Praja Sabha, I asked a question that the unclaimed bulls and cows were hurting the people and that leading persons of the city submitted a complaint to the President Municipality that such bulls and cows should be prevented from straying in the city (*Vide* question Nc 703, Q. D. No. 504, asked on 7th April, 1936).

In reply to this, the Hon'ble Finance Minister stated that the Municipal Committee has appointed persons to impound such bulls and cows

If the reply be in the affirmative, will the Hon'ble Finance Minister please state as to how many bulls and cows were impounded by the Municipality during the last six months?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI (Finance Minister) : 873.

38. SULTAN MOHAMMAD FEROZ-UD-DIN KHAN : Will the Hon'ble Revenue Minister pay attention to the fact that orders for the suspension and dismissal of Lambardars and Chowkidars are passed by the Revenue Department hastily, but neither temporary arrangement is made till new appointments as is done in the British territory, nor is permanent arrangement made immediately and therefore the Government as well as the public suffer great loss?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : Orders for the suspension and dismissal of Lambardars and Chowkidars are passed after enquiry and not hastily and orders for appointment of their substitutes are passed simultaneously. No doubt sometimes, a little delay is caused in selecting suitable persons but this is unavoidable. Every effort is made to make permanent arrangements as soon as possible.

39. SARDAR HARI SINGH (Wazarats Jammu, Udhampur etc :Sikh) : Is it a fact that the headquarters of the Director of Agriculture Department have been fixed at Srinagar and that the Director's office has remained continuously at Srinagar for the last three years?

If the reply be in the affirmative, is it a fact that the Jammu Province which is a backward province has been deprived of the benefits of the expert advice of the said Director. In view of the above, are Government prepared to fix the headquarters of the Director of Agriculture in Jammu at least for a period of three years? If so, when? If not, why?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (1) Yes.

(2) No. There are two gazetted officers, one Assistant Director and one Inspector, Agriculture to look after agricultural activities and general agricultural development in the Jammu Province under the direct supervision of the Director of Agriculture. The headquarters of the Director are located at Srinagar which is necessary in the interest of administration, but his expert advice is always available as well for the Jammu Province as for the Kashmir Province.

SARDAR HARI SINGH : Sir, my submission is as to what is meant by the words 'in the interest of administration'?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : In the interest of Government administration it is necessary that his head-quarters may be at Srinagar.

SARDAR HARI SINGH : What I meant to say is that the head-quarters of the Director may be fixed at Jammu for three years.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : Head-quarters cannot be changed nor can the existing arrangement be changed. This amounts to a dispute.

40. SARDAR HARI SINGH : Will the Hon'ble Revenue Minister please state the time when Director Agriculture visited Jammu for purposes of tour and the number of days for which he remained on tour in Jammu Province during the years 1990-91 along with the places he visited and the period of his stay at each particular place?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : The touring in the Jammu Province has, during the last few years, been restricted to local officers, on account of financial stringency. However, the Director of Agriculture has been instructed to undertake inspection tours in the Mufassils, regularly, in future, during his annual visit to the Jammu Province.

SARDAR HARI SINGH : Should we understand by this that it was on account of financial stringency that the Director of Agriculture did not go on tour to Jammu?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : He did not go to Jammu but he had to limit down his tour to a certain extent on account of financial stringency and reduced T. A grants.

SARDAR HARI SINGH : What did he mean by merely going over to Jammu when he has not visited the Mufassils for inspection? What is the use in coming straightway to Jammu from Rawalpindi?

MAJOR GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : He undertook that journey because railway train and motor car were available there.

SARDAR HARI SINGH : Does it mean by this that tour will be confined to those places only where motor and lorries can go and places where there is no railway will remain unvisited?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : It is admitted that no tour has been made.

41. SULTAN MOHAMMAD FEROZ-UD-DIN KHAN : Can the Hon'ble Finance Minister please exempt grains from export duty so long as there are no signs of famine, so that the payment of land-revenue and other taxes may be facilitated for zamindars?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SIGH JI (Finance Minister) : The general question as to how relief can be given to exporters of goods from the State is under consideration of the Government.

It is, however, already the practice to exempt grains from payment of export duty on the recommendations of local officers whenever it is found necessary to do so.

42. SARDAR HARI SINGH : Is it a fact that in Jammu Province there are two gazetted officers of Agriculture Department who directly correspond with the Head office and whose circles are also separate? If so, what is the reason of fixing the head-quarters of both of them at Jammu in consequence whereof the zamindars cannot benefit by their expert advice and the State undergoes the unnecessary burden of travelling allowances?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : Yes. For the present both the gazetted officers are located at Jammu, one being incharge of the Horticultural Nursery at Udeywala and the other incharge of the Agricultural Farm at Golsamander The proposal to shift the headquarter of one of the two officers from Jammu is already under consideration.

43. MR PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The question No. 43 is disallowed.

44. SARDAR FATEH MOHAMMED KHAN (Haveli Mendhar-Poonch :Muslim) : (*a*) Will Government please state the total number of the gazetted posts in Poonch at present and the number of Muslims amongst them?

(*b*) If from the reply to part (*a*) of the question it appears that there is an extremely low representation of the ninety-five per cent. Muslim population, will Government in future, consider over the matter?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) Total number of gazetted posts is 39 out of which 12 are Muslims.

(*b*) The matter is receiving consideration and Muslim representation is being gradually increased.

SARDAR FATEH MOHAMMED KHAN : Will Government appoint Muslim youngmen to the posts which will be vacated by officers fit for retirement and train them before their appointment?

WAZIR FEROZ CHAND (Wazir Poonch) : It will be seen on retirement.

MIAN AHMED YAR (Muzaffarabad-Muslim) : It is enquired about the training as to whether the training will be provided two or three years before appointment.

45. SULTAN MOHAMMED FEROZ-UD-DIN KHAN : Can the Hon'ble Finance Minister please remit or greatly reduce the export duty on buffaloes which are taken to the British territory for sale, because the zamindars can get money to pay land-revenue simply by selling the surplus produce of grains and buffaloes?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI (Finance Minister) : The Praja Sabha Sad is not correctly informed. So far as the Customs Department is aware, no export duty is charged on buffaloes or any other living animals.

46. SARDAR BUDH SINGH (Mirpur Poonch :Sikh) : There is only one useless farm at Jammu which is of no use to the people. Are Government prepared to set up a model farm in Jammu? If so, when, and if not, why?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : The Agricultural Farm at Jammu has been handicapped on account of financial stringency. A special amount of Rs. 8,560 has been provided for this farm in the Budget for 1993-94 to place it on a satisfactory footing.

47. LALA RAM LAL (Poonch :Hindu) : Will the Government please state the rate at which the additional pay was paid to those officers who were taken in by Poonch Darbar as lent officers from British India before 1979 over and above the original pay of the post, and are the lent officers from Kashmir who are appointed in Poonch paid the additional pay at the same rate or at a higher one?

(*b*) If the reply to the last part of (*a*) be in the affirmative, the reasons for giving higher salaries to lent officers may kindly be stated. What is the standard at which pay in addition to original pay is given?

WAZIR FEROZ CHAND (Wazir Poonch) : (*a*) The percentage of the additional pay given to British Indian Officers lent to Poonch before 1979 comes to 66 per cent. The names of these officers

with pay and designation are given below :—

S. No.	Name and Designation	Pay in B. India	Pay in Poonch.
		Rs.	Rs.
1	Sh. Rahim Bakhsh Wazir ...	300-400	500-800
2	L. Ganga Ram, Wazir ...	Do.	550-25-600
3	R. B. Radha Raman, Wazir ...	600	800-50-1,000
4	Pt. Janardhan Joshi, Wazir ...	600	Do.
5	B. Brij Lal, Wazir ...	600	1,000
6	Ch. Mohammed Din, Wazir ...	600-850	1,000-1,100
7	Sh. Munir Hussain, Saddar Judge	150-200	250
8	M. Faiz-ul-Askari, Saddar Judge...	100	250
9	M. Nizam Din, Accounts Officer	90	175-210
10	L. Ganga Dhar, Accounts Officer	108-125	200-250
11	Ch. Mumtaz Hussain, Chief Revenue Officer ...	200	275-10-350
12	Kh. Aziz-ul-Rahman, Chief Revenue Officer ...	260-375	400-50-500
13	M. Agha Hatim Beg, Superintendent Police ...	225	350
14	M. Naqi Mohammed Khan, Superintendent Police ...	150-275	300-25-350
15	R. S. Dr. Ram Gopal, Chief Medical Officer ...	100-150-200-360-450	350-50-400-450-500-600-25-800

The additional pay sanctioned in favour of officers of His Highness' Government lent to Poonch comes to 64 per cent. *i. e.* at a lower percentage than that of British Indian officers lent to Poonch.

(*b*) Does not arise.

48. SARDAR FATEH MOHAMMED KHAN : (*a*) Will Government please state the total number of the posts of Head Clerks in all the Departments in Poonch? How many amongst them are Muslims and how many non-Muslims and what are their educational qualifications.

(*b*) If from the reply to part (*a*) it appears that the representation of ninety-five per cent. Muslim population therein is practically nill, are Government prepared to stop this violation of rights for future?

WAZIR FEROZ CHAND (Wazir Poonch) : (*a*) Total number of posts of Head Clerks is 6, out of which 4 are Hindus, 1 Muslim and 1 Chiristian. All except two are Matrics.

(*b*) The matter will be considered when vacancies occur.

49. SULTAN MOHAMMED FEROZ-UD-DIN KHAN : (*a*) Has

the Hon'ble Home Minister provided any sum in the budget for the construction of a building for the Middle School, Hattian where about 210 students are packed up as if in Jails?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : No.

50. SARDAR HARI SINGH : Will Government please state the total expenditure of Agriculture Department giving detail for both the provinces separately? If in Jammu Province, the expenditure is considerably less than that of Kashmir, are Government in order to ameliorate the condition of the zamindars of Jammu Province, prepared to increase the expenditure of Jammu Province? If not, why?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : The detailed statement of expenditure in the Department of Agriculture for the two Provinces of Jammu and Kashmir is given below :—

Kashmir Province.

No.	Particulars		Amount.
1.	Salaries	...	4,320
2.	Establishment	...	47,070
3.	Fluctuating	...	31,890
4.	Travelling Allowance	...	1,859
	Total	...	85,139

Jammu Province.

1.	Salaries	...	6,000
2.	Establishment	...	6,552
3.	Fluctuating	...	2,170
4	Travelling Allowance	...	620
	Total	...	15,342

The following additional expenditure has been sanctioned for the Jammu Province in the next year's Budget :—

1.	Establishment for Reasi	...	2,088
2.	Fluctuating Grants	...	3,672
3.	Fluctuating for Jammu	...	8,560
	Total	...	14,320

The total for Jammu Province would therefore amount to Rs 29,662.

It is only a few years since the activities of the Department of Agriculture have been extended to the Jammu Province, whereas, in Kashmir, the Department was first inaugurated in 1906. The disparity is therefore natural. Efforts are being made to provide more funds for the Jammu Province.

SARDAR HARI SINGH : The figure "18" is wrong. It ought

to be "15".

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : It is a mistake in calculation. It will be corrected.

51 LALA RAM LAL : (*a*) Will the Government please state whether residential houses, furniture and electricity are provided to the lent officers free of any charge?

(*b*) If the reply to part (*a*) be in the negative, will it be stated as to what facilities are provided to the lent officers in Poonch and what are the reasons for that?

WAZIR FEROZ CHAND (Wazir Poonch) : (*a*) No such facilities are allowed free of charge in the parent State to lent officers.

(*b*) The Wazir and the Chief Judge alone are provided furnished houses and electricity free of charge. This concession is allowed by the Raja Sahib of Poonch who has not so far enforced in his Illaqa the rules in force in the parent State.

52. SARDAR FATEH MOHAMMED KHAN : (*a*) Will Government please state whether Kasturi Lal, a work-charge employee of the Electric Department is a hereditary subject of Poonch?

(*b*) Since when has he been in the employment of the Electric Department and what amount of pay has he received so far?

(*c*) If from the reply to part (*a*) it appears that he is a non-hereditary subject, it may please be stated as to why in the presence of the other staff, the exchequer has been burdened by employing him against rules. Who is responsible for this contravention of rules? Will the law be obeyed by discharging him from service?

WAZIR FEROZ CHAND (Wazir Poonch) : (*a*) No.

(*b*) Since Magh 1990. The total amount of pay drawn by B. Kasturi Lal amounts to Rs. 1,540.

(*c*) This man was appointed by Khan Bahadur Agha Mir Hussain Shah the late Wazir because there was no State-subject available here who could be entrusted with the work that is being done by B. Kasturi Lal. He is a competent mechanic and looks after the machinery. However as soon as a State-subject who can discharge the work efficiently and is willing to work in the work-charge is available this man will be discharged as he is not a permanent employee.

53 CHOUDHARI ABDULLAH KHAN (Jammu Wazarat :Muslim) : In reply to question No. 155 (Q. D. No. 203), asked in the Jammu session on the 6th Chet 1992, the Government admitted the fact mentioned in the said question and stated that papers would be submitted for sanction and the matter would be settled soon. Will Government please inform the House about the decision arrived at in the matter and remove the oppression of the Irrigation Department and redress the grievance of the poor zamindars?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : The matter is receiving consideration.

CHOUDHARI ABDULLA KHAN : When will it be decided.

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : Very soon.

CHOUDHARI ABDULLA KHAN :Will it be decided before the coming session?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : It cannot be so promised.

54 SARDAR HARI SINGH : Will Government please state the number of fruit plants applied for by the zamindars during the years 1990-91 and 1991-92 for the improvement of Horticulture? How many such plants were distributed?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : The supply of fruit plants is made in accordance with the stock available in the nurseries for distribution in a particular year. The Government have also recently issued standing orders in this respect. According to these a *bona fide* zamindar can get fruit plants from a minimum of 50 to a maximum of 200 in individual cases, free of cost. Otherwise plants are made available at a nominal and flat rate of one anna per plant which is given preference.

No record is kept of the number of fruit plants applied for by zamindars in a particular year. In cases of free issues, greatest care is taken to supply the maximum number of fruit plants which may be possible in view of the number of applicants and the number of plants available.

During the years 1990-91 and 1991-92, the following number of fruit plants was distributed, both free and on payment :—

1990-91	... 1.64,007
1991-92	... 1.79,082

55 LALA RAM LAL : Will the Government please state whether at the end of the Great War some concessions were granted in Illaqa Poonch by the British Government?

(*b*) If the answer to (*a*) be in the affirmative, it may please be stated as to what these concessions are, and has Illaqa Poonch derived any benefit therefrom or not? If not, what are the reasons for that?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) No particular concessions were granted?

(*b*) Does not arise.

LALA RAM LAL : If no special concession was granted was it a general one?

WAZIR FEROZ CHAND (Wazir Poonch) : No. No concession was granted.

LALA RAM LAL : That is to say that no concession was granted.

56. CHOUDHARI ABDULLA KHAN : Is it a fact that the order

regarding the periodical exemption from duty on the export of grains granted during the last few years with a view to promote the interests of zamindars or to facilitate the payment of land-revenue, is communicated in Mufassils about the end of Maghar or in Poh when the zamindars have no grains to export, because they depend for everything on grains and have no alternative but to sell all their produce immediately after it is ready and that on account of the delay in the communication of this order to them they are deprived of the benefit of this favour? Will Government with a view to helping the zamindars, please fix the period, once for all, beginning from the 1st of Katik so that facilities may be provided for the poor zamindars and they may be in a position to be benefited by this favour?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : Arrangements are already being made to remit the duty of -/4/- per maund on the export of rice and Dhan from the Kathua and Jammu Wazarats so as to enable the zamindars to avail of this concession in time.

57. CHOUDHARI ABDULLA KHAN : (*a*) Will Government please state as to what is the number of the schools where primary education is compulsory and where they are situate?

(*b*) What is the annual expenditure of these schools?

(*c*) What is the annual income of Education Cess from those places where such schools have been opened?

(*d*) If no Education Cess is collected from the people of these places, why this special favour has been shown to them when they do not deserve it and why the people of Mufassils have been deprived of this favour when they deserve it more than the former?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : (*a*) The required information is given below :—

		Middle	Primary	Total.
Jammu	...	1	15	16
Mirpur	...	.....	5	5
Udhampur	...	.....	3	3
Srinagar	...	4	36	40
Sopore	...	1	3	4
Baramulla	...	1	2	3
Total	..	7	64	71

(*b*) Rs. 1,06,919.

(*c*) It is very difficult to say what amount out of the total Education Cess of Rs. 45,000 is realised from those zamindars residing in the areas under compulsion.

(*d*) Compulsion was introduced as a matter of experiment in these places.

LALA RAM LAL : (*a*) Will the Government please state whether the Poonch authorities are prepared to purchase the X-ray apparatus out of the Silver Jubilee Funds when the said apparatus is badly needed in Poonch proper?

(*b*) If the answer to first part of (a) be in the negative, the full reasons therefor may be stated?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) and (*b*) This will be considered when funds out of Silver Jubilee collections are made available.

58. SARDAR FATEH MOHAMMED KHAN : Will Government please supply a statement showing the number of Matriculates and Middle pass unemployed youngmen in Poonch?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : No such record is maintained by the Poonch Administration.

59. CHOUDHARI ABDULLA KHAN : (*a*) Is it a fact that two years ago the 9th class was opened in the school at Ranbirsinghpura?

(*b*) Is this also a fact that the Primary and Middle schools and especially the number of students is far greater in this Tehsil than in other Tehsils and Illaqas?

(*c*) If the answer be in the affirmative, why the 10th class has not been opened so far in this town?

(*d*) Will Government please consider the advisability of making in the Budget provision for opening the 10th class there?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : (*a*) Yes.

(*b*) Information regarding the number of students in Ranbirsinghpura Tehsil is not available ; but the number of Primary schools in this Tehsil is not far greater than that in other Tehsils and Illaqas.

(*c*) and (*d*) No such High school is proposed to be opened this year.

60 SARDAR FATEH MOHAMMAD KHAN : Will Government please state the total number of the clerical posts in each grade of the English cadre above rupees twenty and below rupees one hundred in Poonch?

(*b*) What are their general academic qualifications? How many amongst them are Muslims and how many non-Muslims?

(*c*) If from the reply to the above parts of the question it appears that the Muslim representation there is practically nil, are Government, in order to discontinue the serious violation of the rights, prepared to do justice by stopping the appointment of non-Muslims in future?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) Total number of the clerical posts in the different grades of the English cadre above Rs. 20 and below Rs. 100 is

35 : as shown below :—

Cadre.		Total No. of posts.	Hindus.	Muslims.	Sikhs	Christians.
20-1-35	...	14	11	2	1	.....
30-2-40	..	7	4	2	1	.....
45 2-55	...	6	5	1	.....	.....
60-5-75	...	6	5	.....	.....	.....
75-5-90	...	1	1	.....	.....	.....
90-5-110	...	1	.....	.....	.....	1
Total	...	35	26	5	3	1

These clerks are generally Matrics.

(*c*) The question of increasing Muslim representation will be duly considered when vacancies occur.

61. SARDAR FATEH MOHAMMAD KHAN : Have the Poonch Government in order to make good this deficiency of Muslims made out some principle with regard to new appointments?

WAZIR FEROZ CHAND (Wazir Poonch) : A sufficient number of Muslims have been appointed. There is no question of any principle.

62. SARDAR FATEH MOHAMMAD KHAN : (*a*) Will Government please state how far away is the extreme boundary line of the Illaqa of Parawa Thakyala from the dispensary in Dharamsal Mendhar?

(*b*) Is it a fact that the Hindu and Muslim subjects of the said Illaqa, which consists of thirty thousand population, have requested several times for establishing a new dispensary?

(*c*) Is this also a fact that the Hindu Sabha of Poonch and the Hindu and Muslim representatives have urged several times for this great necessity?

(*d*) If from the reply to (*a*) it appears that the distance is great, and that the replies to (*b*) and (*c*) are in the affirmative, are Poonch Government prepared to start a dispensary in the Illaqa of Thakyala Parawa?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) 24 miles.

(*b*) Yes.

(*c*) Yes.

(*d*) The requirements of Thakyala Parawa people are met by Dharamsal Dispensary. The question of starting new dispensaries can be considered only when the financial condition allows.

SARDAR FATEH MOHAMMAD KHAN (Addressing the Hon'ble President) : Sir, reply to my question No. 62 has not been read out.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Have I omitted it?

(A VOICE) : Yes.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : I am sorry.

NOTE.—The answer of question No. 62 was then read out by the Hon'ble Revenue Minister.

63. *Information promised in reply to the question S. No.* 193 *(Q. D. No.* 81*) asked on the* 19*th March* 1936*, by*

CHOUDHARI ABDUL KARIM : Is it a fact that the facts of the case of Gopal Singh, decree-holder *versus* Akbar Khan etc., judgement-debtors were similar to those of the execution proceedings in the case Bodh Raj, decree-holder *versus* Abdur Rehman, judgment-debtor and Bodh Raj, decree-holder *versus* Jalun decided in the court of Sub-Judge, Mirpur?

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM (On behalf of the Hon'ble Judicial Minister) : The facts in the two cases cited by the member asking the question were almost similar. It is true that different decisions were recorded on different files by two different Sub-Judges, but the first appellate Court has subsequently rectified the mistake and now the same decision governs both the suits.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Gentlemen ! The Kashmir Valley Food Control Regulation Amendment Bill was referred to the Select Committee during the last Jammu session. The Committee has submitted its report (printed in Government Gazette No. 48, dated 26th Bhadon 1993) which has been supplied to you. Now we will proceed with it. There will be two motions. First, that the report of the Committee may be taken up by the House for consideration and the second motion will be that this may be passed. We take up the first motion now.

SARDAR BUDH SINGH : An amendment has also been proposed.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : There is no question of amendment under consideration at present. It will be moved first that the report of the Committee be taken up for consideration.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : As the Food Control Regulation No. 1 of 1986, in its present form does not fully satisfy the existing requirements, therefore, it was considered necessary to make proper amendments in order to adapt it to the existing conditions and to provide facilities from time to time whenever necessary. Accordingly under Council order No. 588, dated 7th August 1935, as proposed by the Revenue Minister, the Kashmir Valley Food Control Regulation No. 1 Amendment Bill

was published under Rule 48 of Rules of Business and Procedure of the Praja Sabha through Notification No. 12 published in the Government Gazette No. 45, dated 6th Bhadon 1992. After that it was moved in the October-November Srinagar session that this bill be referred to a Select Committee, but the House passed an amendment that the bill will be circulated for inviting public opinion. Therefore, this bill was published under Notification No. 53, dated 19th December 1935, and the 25th February 1936 was fixed as the last date by which all co-operative and other societies concerned were to send in their opinions to the Praja Sabha office. After the expiry of the time prescribed in this notification all opinions that were received were put before the House in the Jammu session (March-April, 1936) and it was moved under rule 55 clause 3 of the Rules of Business and Procedure that the Food Control Amendment Regulation Bill may be referred to a Select Committee. The motion having been passed the bill was referred accordingly to the Select Committee consisting of the following members :—

1. Revenue Minister ... Chairman.
2. Khan Bahadur Aga Syed Hussain ... Member.
3. Pt. Jia Lal Kilam ... "
4. Wazir Ganga Ram ... "
5. Sardar Hari Singh ... "
6. Kh. Ghulam Mohi-ud-Din ... "
7. Kh. Sanaullah Shah ... "
8. Pt. Ram Nath Sharma ... Secretary.

The Select Committee met at Srinagar on 24th August, 1936 (9th Bhadon, 1992) and after due delibrations prepared a report. A proposal was also put before the Select Committee that though special staff has been appointed to check unlawful import of grain, rice etc. within the limits of Srinagar Municipality still the Department referred to above is not invested with the powers to enforce the provisions of this Regulation whereby they may bring about the arrest of smugglers or forfeit the unlawfully imported grain. Therefore in order to remove this defect special executive staff of the Food Control Department may also be authorised to exercise those powers of arrest which the police could exercise under section 10 of Food Control Regulation No. 1 of 1986 so that in future the smuggling of grain, rice etc. may be properly controlled. Therefore this proposal also having been agreed upon by the members of the Select Committee, has been incorporated in the report of the Select Committee.

This report has been published according to rule 60 of the Rules of Business and Procedure of Praja Sabha under notification No. 77 dated 1st September 1936 and its copies have been supplied to the members of the Praja Sabha. While presenting the report of the Select Committee I move that this bill may be taken up for con-

sideration in the form in which the Select Committee has reported it.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Now the question is whether this bill may be taken up for consideration as reported by the Select Committee or not.

SARDAR BUDH SINGH : Sir, an amendment has been proposed to it.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : This is not the time for amendment.

MIAN AHMED YAR : Sir, it is the right time for moving that the report may be sent for opinion, under rule 61 (2).

He is moving, Sir, for circulation.

MR. AMAR NATH KAK : That time is past.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) (To Mian Ahmed Yar) : But I thought that it was from you.

SARDAR BUDH SINGH : We three have proposed it.

Hon'ble President and respected members ! I have also proposed an amendment for the circulation of this Regulation and I have also sent another amendment separately on my own name to which I have not received any reply though I have been waiting for it.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : That will be taken up afterwards.

SARDAR BUDH SINGH : Hon'ble President ! In the beginning also when the Amendment Bill was put up, the elected members, who have been sent here to represent thirty-six lakhs of the population, stressed the point that they were opposed even to the original Regulation. Therefore, the Amendment Bill should never be accepted as the original Regulation is very harmful. Even in early days, as far back as the inception of the Food Control Regulation, attempts have been made by the Government for its amendment time and again when the people have become used to bearing the burden after their usual hew and cry. For example, it was said of Mr. Lawrence, who conducted the State Settlement, that he insisted on the revenue being not received in kind because this provided occasion for corruption and embezzlement from which there was every chance of the poor Kashmiri being looted. So, in order to nullify the effect of agitation, complaints, appeals etc., etc. which the public in general and the peasants in particular had against the Food Control Department, the Government made the Regulation of 1978, section 12 of which provided a fine of rupees one thousand and two years' simple imprisonment. Later, an amendment was made and the period of imprisonment was reduced to one year. And here is another Amendment Bill being submitted. Quite a large population of the public of varying status is settled in

cities. It is therefore that it has been thought necessary to keep in mind the interests of the city-dwellers. The present rate of Shali according to the Government is fixed keeping in view the advantages that would accrue to both the villagers and towns-men, a mention of which is made is the annexure. We do not at all desire that city people be harmed. They also are the subjects of the Maharaja Bahadur. They too stand to lose in the present state of affairs. If the restriction is removed they too can purchase grain at cheaper rates. If the rate of purchase of grains is lowered the poor peasant will be terribly harmed. The Government desires to take in its own hands the right of fixation of prices, in order to reap profits by lowering prices. Particularly, in these days, when the grain is so cheap outside, what is the point in imposing restrictions. Endeavour should be made to save every individual of the public so that the relations of the ruler and the ruled may remain pleasant. If in order to provide cheaper grains to the city-dwellers (although they too are obliged to purchase at dearer rates when compared with the outside Shali) lakhs of poor people, zamindars and peasants be harmed, it is no justice. There is in no part of the world any such law that free trade be interfered with and restrictions be imposed and penal laws be passed. It is not at all desirable that grains be purchased from the poor peasants at cheaper rates and sold to the city-dwellers at dearer rates and high-salaries be provided from the profits thus realised.

And it is a rather strange Regulation which provides two years' imprisonment for any one who would create any row or make any complaint against the cruelties of the Shali Department or would submit a fictitious list of his stock of grains.

In 1923 a Board for grains was appointed. The Board included His Highness the Maharaja Bahadur (as Senior Member), General Janak Singh, and Mr. Glancy. They published a book which deserves consideration. In sentence four, Mr. Lawrence's view has been expressed. Whereas the words entered formerly were "according to the usual, accepted rate of receipt," it is now recommended, that the words "prices fixed in consultation with the Board appointed under section 11 of the Regulation" be substituted instead. It shall be a down-right cruelty to the public and shall lead to their destruction. It was the opinion of Mr. Lawrence that the practice of 'Mujawaza' as far as possible, should be done away with and the prices should be paid at market rates or else no restriction of any kind should be imposed and the present should be given the option of disposing of his grains in an unrestricted way. The State had borrowed the services of Mr. Lawrence from the British Indian Government and he made the proposal that the practice of '*Mujawaza*' be stopped forthwith

and the right of sale openly through markets etc., be conceded to the peasants. And by conceding concession rates, to the population of the city of Srinagar the prices should conform to the market rates. This proposal was accepted and the practice of *Mujawaza* was dispensed with so that the peasants may be able to sell the produce of their land at the market rates and may be able to meet their needs.

But, alas, in order to strictly enforce this system law has been promulgated wherein provision has been made for fine and imprisonment. The mainstay of a zamindar's necessities of a whole-life-time and domestic requirements such as cloth, oil, salt, tea and so forth, is his produce. This produce is his property, wealth and treasure; and the imposing of any such restrictions on the sale of their grains is height of injustice to them and doing them openly an incalculable amount of harm. All their requirements can be met from the produce of Shali and it is on this that their life cheifly depends, but a peasant has absolutely no right to sell it. For a considerable length of time the proposal of Mr. Lawrence was worked out in practice. Subsequently, considering the hardships of the city-people and the higher prices outside, the Government framed this sort of law and the zamindars were ordered to enter their lists of Shali produce. Such lists were submitted and prices etc., were fixed and the zamindars were told that grains will be purchased from them according to those rates and this will be done through the Food Control Department. At that time law was passed that whoso-ever will disobey that order shall be liable to one year's imprisonment and fine upto the extent of one thousand rupees. Now, for a third time, the amendment is being made that the right to make any alterations in the rates at which Shali may be purchased from the zamindars or sold to the city-men should be vested in the Government. But when this law was first made it was said that these rates shall remain fixed for all times and this fact is entered in the supplement of the Regulation. And, now, the Government in the Amendment Bill under discussion wants to control the fixing of rates. That is to say, the Government might raise or lower the prices whenever it so desires. At first, when, at the time of framing these rules, it was said that these rates shall remain fixed, the market rate of Shali was higher while now it is five rupees per Kharwar. Shali is purchased from the zamindars at two and a quarter rupees a Kharwar. At any rate, the intention of the Government now is to profit itself by fluctuating the prices and by harming the zamindars and city-men. Under section 10 already enough restrictions have been imposed that if a person will bring Shali inside the Municipal limits of the city without the permission of the Food Control Department he will be liable to punishment.

Now, the Select Committee has recommended under section 10 that those persons who will be found bringing Shali inside the boundary of the city, will be arrested and handed over to the Police and the Department of those who are authorised to arrest includes besides the Director, Assistant Director, Supervisors, Assistant Supervisors, Transport officers, the clerks, the guard and the rest of them. That is to say, the Select Committee has, besides the original amendment added one more section to the punishment already laid out under section 10 that arrests should be made and for that purpose a Department is necessary. That is to say, besides the Police now nearly the whole Department is authorised to effect arrests. This means that the Department is out to harass the innocent young children of His Highness' State for purchasing a seer or two of rice and carrying them from the villages to satisfy their hunger. And to arrest these poor and innocent children, Guards and Chaprasis whose salary is six rupees a month each, are deputed. Where there is such a state of affairs in a country can any justice be expected? Is this called 'justice'. We should have full faith in our Maharaja Bahadur that he has his heartfelt sympathies for us and, it is for this reason that he said in the Royal Proclamation that I see impartially every individual of the State, regardless of caste or creed because I have to be answerable before God and that all these people are my dear children, etc., etc. But the point is that even ordinary peons go to the extent of arresting small children who bring for their food two to three seers of rice and the way they are mal-treated is a pitiable sight. These children do not bring rice for earning any profits or for selling them, but rather to fill their hungry stomachs. They bring rice because they are poor and live close to the city, and at not very great distance, outside the Municipal limits, rice is sold at two rupees a Kharwar while in the city it is sold at Rs. 5 a Kharwar, which the poor people cannot afford to purchase.

And the picture, on the other side, is that for the purchase of grains the same treatment is meted out to a Minister, Judge, and a man of lakhs as is meted out to a poor individual. When grains are sold cheap close by why should the poor people be compelled to purchase grains at higher rates. Why should not the poor people be exempted? We daily see that very young children, afraid of being caught, have to traverse long and hilly distances in order to reach some village and purchase a seer or two of rice. These panic-stricken people, when confronted by the employees of the Food Control Department say that they live in those very villages. It really pains one to see the poor and innocent children trembling with fear, their eyes full of tears and perspiration profusely trickling down like blood.

Our Hon'ble President daily goes out for walk. He should

note and mark how small children poor and poverty-stricken appear as they come along from the villages. In the city, people are of three classes, the rich, the middle class and the poor. It is the poor class people who go to fetch Shali not to sell it but to eat it themselves, and they are forced to bring Shali because they cannot purchase it at dear rates. We are saying it from the very start that our opinion, in effect, is opposed to these cruel laws of the Government. In the Praja Sabha session the majority voice is of the Government. Therefore, the Government is authorised to frame any laws as it chooses. His Highness the Maharaja Bahadur said in his Proclamation, if the public will support us, and the elected representative members be one with us, there can be sufficient improvement in the uplift, betterment and happiness of the subjects. We expressed our opinion even at first, against the Regulation, but it was ordered that because the majority was in favour of it, therefore it may be circulated. When opinions were called for then nearly the whole of population was found against it. Here our opposition and opinion against the excesses of law has no weight. In the Praja Sabha the Government has a majority while ours is a minority. The Government members are by far in greater numbers than we are. When our pleas are never heard, and our voice has no weight or value how can we support the Government. As long as we do not have a majority and our voices are suppressed by those who do not have a right even to a single vote, our union with the Government is not possible. We hoped that the Select Committee in its amendment would make it less stringent but it is a matter for surprise that instead of doing that they have added one more penal section to it. It is written in the Select Committee Report that rates will be fixed after consulting opinions and the Board shall see that the prices are reasonable. We have been making suggestions for the last two years but which of our suggestion has been put into practice. We have grown sick of advising the Government. But how deplorable it is that all our suggestions have fallen flat on them and not even one has been carried out in practice. And in that case, is it binding on the Government to follow out the recommendations of the Board? The position of the Hon'ble Revenue Minister on the Select Committee is that of a Chairman. If he had been inclined to sympathise with the public he would have, as was incumbent on him on point of principle, given the notice for the amendment afresh rather than adding or deleting any section of the Regulation and submitting the altered amendment. By this time all the members have read the Select Committee Report. There have been so many amendments that the initial import of the amendment has been altogether negatived and enough additions have been made so that the face

of the original amendment has been considerably mutilated. Now the question is, when there have been so many alterations, changes and additions why should not the Regulation be circulated and opinions received once again. What harm can there be in that. On the one side the representatives of the people hold that the Regulation is not all acceptable to them, while on the other, the Government is getting it passed forcibly. The Government cannot brook the idea of advertising the Regulation once again for public opinion. Besides, it is written therein that this law will be effective only in the Kashmir Province which will include the Muzaffarabad District also. The viewpoint of the Kashmir Province people where this law has its greatest effect, is against it. The Department for which provision has been made in the Budget, has been given those prerogatives which not even the Police enjoys. It is a regular infliction of cruelties. I have seen with my own eyes, persons unknown to me, dressed in no definite or regular uniform running after children, boys as well as girls, and all of a sudden jumping upon them like a hawk on its pray and suddenly seizing them. I have noticed many children carrying with them two to four seers of Shali and having reached the barbed-wire railing of Badami Bagh after crossing long and mountainous distances, when all of a sudden they have been pounched upon by a man in no regular uniform. Poor lads, terrified and confused would fall down some on this side of the garden-wall and some on the other. They are badly bruised and hurt and they weep bitterly and run about crying. Their plight at that time is so pitiable as cannot be easily borne. If, inspite of our majority, the voice of the public is disregarded we will be forced to expect neither justice nor any preservation of rights from the present Government, whose attitude has not only been unsympathetic but down-right opposing and cruel. Under these circumstances how can the Government expect any co-operation from our side and how are they obeving the Royal Proclamation. The public ventilates its grievances through its representatives and a law is passed per force although it is considered ruinous for the people. When, little children are arrested and handed over to the Police for no other fault except that they had gone to bring rice to eat, it is hard to understand when will the condition of the children of Maharaja Bahadur's subjects be bettered, protected and improved. Please tell me what sort of justice is this? Is it this that would make the public loyal and respectful.

The Hon'ble Revenue Minister is deeply in touch with the zamindars and the zamindars should have high hopes that he will protect them and improve their condition. This law will be greatly harmful to them and if the present state persists then it will become well-nigh impossible for them to pay up the revenue and meet daily

needs. But I hope that the Hon'ble Revenue Minister will ponder over my amendments and will express his opinion in favour of acceptance and will thus signify his sympathies by withdrawing the Amendment Bill. If that be not acceptable let the Bill be circulated and the opinion of the general public be invited on the present Select Committee Report. My amendments that have been submitted separately are quite reasonable. Their acceptance and the withdrawal of the Bill would mean doing justice to the people. With these words I conclude my speech and request that this Amendment Bill should be withdrawn and not taken up for consideration.

MIRZA M. A. BEG (Anantnag :Muslim) : While supporting the amendment of Sardar Sahib I want to remark that at the time when the law which is intended to be amended was put before the House we opposed it strongly. The Government intended that there may be "effective voice in administration" and gave assurance that the public voice will be duly considered. Public opinion was invited about this amendment. As many as 256 or 265 opinions were against this law and only 107 opinions were in its favour. At Jammu I had invited the attention of the House to the fact that the opinions received in favour of this law are from the Illaqa where there is absolutely no levy of *Majawaza* and that therefore, carry no weight. Inspite of all this the Government intends to accept and pass this bill. Despite the public opinion having been received and the general public being greatly opposed this bill which is being sought to be amended was referred to the Select Committee. I believe, my opinion is based on facts that this procedure is against the wishes of the Government. All the members of the Select Committee know that 256 opinions were against this but the Select Committee did not take any notice of these opinions and did not record any reasons for this. Thus the public opinion was trampled over. There is an old saying that a man grown tired of praying wanted to request for exemption. But instead of getting exemption from prayers he was encumbered with the obligation of fasting. What we wished was that it should not be for the Government to fix rates from time to time. But, contrary to this, what happens is that the Ghat Moharrirs etc. about whom Sardar Sahib has very eloborately explained are invested with powers to arrest the people and thus the public opinion is challenged. No heed has been paid to this even in the Committee. By God's grace we will now challenge it. If at all any thing can shake the existence of the Food Control Department that will be due to the public opinion having been flouted and large powers granted to the Food Control Department. If the Food Control Department cannot stop smuggling is

it creditable to arrest the people. I would submit that this will never lead to success. Therefore I submit that these amendments by their very nature are important. Hence it is necessary that this may be once again circulated so that the people may be able to consider and realize what their benevolent Government has done for them.

SARDAR KANHAYA SINGH (West Kashmir :Sikh) : Sir, regarding the amendments proposed by Sardar Sahib I would submit that I feel greatly pleased when I see that even by only considering citizens to be our brethren we are able to co-operate with them in everything. We become extremely pleased to find that many visitors come to this place and that citizens are benefited thereby, and that their good is our good. It is only grain that is now left with us. We find that there is no such law in force in British India or in an other native State. If Government feels this necessity on account of there being no provision for grain for the citizens, it is the duty of the Government to adopt certain other measures. It is not proper to frame such law as a permanent measure.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : None has stated that the previous law is being repealed.

SARDAR KANHAYA SINGH : No, Sir, rather it is being made more stringent. Zamindars derive no benefit from it. It is not proper to make stringent laws. We produce grain by putting in hard labour but inspite of that we have no powers to dispose it off and the Government is authorised to prescribe rates. The citizens believe that the villagers are alien to them and this gives rise to an apprehension that they may cause mutual dis-affection between the citizens and the villagers.

LALA SHIV NATH NANDA : Why have did you introduced this question of distinction between the citizens and the villagers.

SARDAR KANHAYA SINGH : When there is any thing pertaining to the zamindars you generally oppose that.

PANDIT JIA LAL KILAM : May I speak a word?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Are you speaking against it?

PANDIT JIA LAL KILAM : Certainly not against my own opinion.

Sir, I was also a member of the Select Committee and I have also signed the report. Therefore I think it proper to say something about these amendments. My learned friend Mr. Beg has had certain misunderstandings. He is one of the greatest economists but when he spoke his speech appeared to be somewhat contradictory. He is discussing whether the State Granary Department should or should not exist but that is not the point at issue just at present. If Mr. Beg wanted that Granary Regulation may be repealed it was necessary for him to bring a bill

for that and express his feelings about that. But this is not the question at present. The question is what we have been telling him. Is it not his duty to help in giving this Regulation a scientific shape? This is a principle of economics that the prices of commodities rise and fall from time to time. I also belong to a zamindar family. There was a time when the price of paddy was Rs. 10 per Kharwar and that these are the scheduled rates according to which prices are paid to the zamindars. Now the prices have gone down but the zamindars are still paid according to the scheduled rates. My submission is that the State Granaries Department is a commercial department and as such it should be run on purely commercial lines.

KHAWAJA GHULAM MOHAMMAD SADIQ : At the point of bayonet.

PANDIT JIA LAL KILAM : Certainly not. If that be the question I shall be the first person to oppose it. This is a matter of economics. I submit that if you wish that the State Granaries Regulation be repealed my sympathy is with you. For the present the question is that of giving it a scientific shape. The matter came up before the Select Committee and after much deliberations they came to the conclusion that prices may be revised from time to time.

MR. M. A. BEG : Will you read section 2 of the Regulation?

PANDIT JIA LAL KILAM : I will, I will. If the Officer-in-charge of the State Granaries or (the Hon'ble) Revenue Minister is vested with the sole powers it is possible that he may exercise such power in a manner which may affect the prosperity of the people. We devised a *via media* that a Board may be appointed for fixing of prices. We proposed that there should be 5 non-official members in it of which 3 should be zamindars and 2 non-zamindars, that is to say, that there should be a majority of zamindars amongst the non-official members.

MR. M. A. BEG : Should we have no regard for voters.

PANDIT JIA LAL KILAM : We must have some regard for the voters but when we come here as members of this House we should not bid farewell to our conscience. That is the constitution. But we must see how best we can discharge the function that we assumed as elected members of the people. We are like a doctor. The doctor has not to see the wishes of his patient. The patient will never agree to the doctor operating upon him but the doctor will say 'No' I will operate for your good although you may feel pain for the time being and similarly we have to see that all that we do is for the good of the people. If you want to do away with the Regulation, I am with you.

KHAWAJA GHULAM MOHAMMAD SADIQ : What was your

election promise.

PANDIT JIA LAL KILAM .: My promise was to do good to myself, to the people I represent and to His Highness the Maharaja Bahadur. (Laughter)

PANDIT JIA LAL KILAM : My submission is that we proposed a Board of five members consisting of two members from the urban area and three from the rural with the Hon'ble Revenue Minister and the Director of Food Control Department as (*ex-officio*) members. My friends have a misunderstanding that this is a Consultatory Board while it is an Advisory Committee. The Board will be consulted whenever the prices have to be reduced. The amendments nowhere contemplate that the decision of the Board shall not be binding on the Government. You have my full sympathy but your amendments are not in a scientific shape. There has been very little of lovelost between the Government and my worthy friends. My friends have remarked in connection with the right of arrest that sometimes small children have been seen running with rice with them. The officers drawing Rs. 5,000 per mensem or the Accountant General do not go to arrest such smugglers. This is the work of a constable getting Rs. 12 per mensem or a peon getting Rs. 8 or Rs. 10 per mensem. Even as an ordinary citizen, everybody should have the right to get a smuggler arrested, fined and punished. My submission is that the provision for arrest that has been suggested does not depart from the elementary principles. Everybody has the right to cause arrest in cognizable and non-bailable cases. But there must be some authority behind it and there must be something which will make the law effective.

KHAWAJA GHULAM MOHAMMAD SADIQ : There is an ordinary law for that.

PANDIT JIA LAL KILAM : You are right but many irregularities crop up on account of there being want of proper provision in the law. Despite great efforts of the Food Control Department to check smuggling the rice continues to be unlawfully imported into the city. For example if a person smuggles any dutiable article and before the Customs Department informs the Police about it he will escape and nobody will be able to arrest him. Inspite of there being restrictions by the Customs Department rice is sold in the city. Therefore, after much consideration the Select Committee has arrived at the conclusion that Food Control Department may be vested with powers to arrest those who smuggle rice into the city. There is no suggestion about the free import of rice into the city. The amendment proposed does not contemplate free importation rather it is intended to check that. You have raised a voice that in order to check this offence and to maintain Food Control Department it is necessary that this Department may be vested

with full powers. Therefore, supporting the report which the Select Committee has submitted after much consideration, I would advise my friends to draft a new bill and to place it before the House. I will request him to withdraw this amendment as it is not advisable to propose this.

PANDIT RAM CHANDRA DOBEY : Pandit Sahib has stated that a bill ought to have been brought in rather than this amendment and as he was a member of the Committee himself therefore he supports the report of the Committee. The Select Committee has recommended certain changes to be made in the Regulation which are beyond the scope of the original amendment. The amendment of section 10 is contrary to the wishes of the Government. Sardar Budh Singh Sahib has clearly explained that the proposed amendment to section 10 is more extensive than the Government amendment. The Select Committee has changed the drafting of this bill. The addition to section 10 is not justified. They have not taken into consideration the difficulties which are usually faced by the people ; for example, when the Shali is conveyed to the Ghats it is not accepted, whether the Shali is sound or otherwise. You can well imagine as to how much defficulty is experienced by the people in carrying back the rejected Shali. I consider it necessary that the change in the amendment made in the bill by the Select Committee should be circulated for public opinion.

PR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Yes, Mr. Kak !

PANDIT AMAR NATH KAK : Sir, it appears that in the course of discussion on this matter in the House certain facts have been ignored. If anyone objects to any particular section and wants that that section should not be brought on the Statute Book or that any part of the Regulation may exist he can propose a motion to amend accordingly. The addition to section 10 whereby it is recommended that the powers to arrest the smugglers may be vested in the Food Control Department can be omitted even after the bill is taken into consideration. The point which I want to submit is that a misunderstanding seems to have arisen in the minds of the members who think that the enforcement of this amended Regution will adversely affect the interests of the zamindars and while providing facilities to the citizens it will put the zamindars to much inconvenience It is not so. The object of it is that the Food Control Department may be saved the trouble which it is experiencing at present. As my friend Pandit Jia Lal Kilam has stated the motion that has been made is not for the repeal of the Food Con- Regulation Only certain sections were intended to be amended. The rates prescribed previously are no longer the same, and they should not be allowed to remain as they are, but rather, they should

be revised from time to time. The Select Committee has made an addition regarding Advisory Committee and they have done so in view of the interests of the zamindars because the majority of the members of the Select Committee were zamindars for example Khawaja Sanaullah Shah is a big zamindar and is an elected member. Pandit Jia Lal Kilam and Khawaja Ghulam Mohi-ud-Din are also big zamindars. Of these three zamindar members two were such who understood the bill. Thakur Aga Syed Hussain Sahib who is a big zamindar and before whom this law was framed approved of this amendment. Thus it was passed. Many of the zamindar members of this House pay *Mujawaza*. It is the interested persons who create mis-understanding about this. I want to place before the House a matter of principle that both Chakdars and zamindars are having misunderstanding about this provision of this Regulation. They believe that the Granaries Department is doing all this for its own benefit and for getting *Mujawaza* at lower rates. In fact many of us do not heed to this matter of principle that Shali scheme is a kind of insurance scheme and the Department has to prescribe rates. The Shali that is available in villages at the rate of Rs. 2 per kharwar is sold to the Shali Department for a higher price. In village Shali can be had for Rs. 2 per kharwar whereas the citizens have to purchase it unwillingly at the rate of Rs. 4 or Rs. 5 per kharwar because the citizens believe that when there is less produce and the price of Shali goes up to Rs. 8 per kharwar even at that time the Food Control Department will provide Shali to them at the rate of Rs. 5. The citizens pay higher prices in order to maintain this insurance system at a time when Shali is available in the villages at the rates of Rs. 2 or Rs. 1/8/- per kharwar.

KHAWAJA GHULAM MOHAMMAD SADIQ : Can you tell me as to why it is sold at the rates of Rs. 2 per kharwar in the villages?

PANDIT AMAR NATH KAK : It is because of the full crop that Shali is available at the rate of Rs. 2 per kharwar. You will get Shali according to the prescribed rates no matter whether the price is lower or higher in the villages.

KHAWAJA GHULAM MOHAMMAD SADIQ : Shali is available in the villages at Rs. 2 per kharwar only because there are restrictions on the sale of Shali.

PANDIT AMAR NATH KAK : It does not depend on that. But rather it depends on the produce of Shali.

KHAWAJA GHULAM MOHAMMAD SADIQ : Prices fall on account of the restrictions on the trade.

PANDIT AMAR NATH KAK : It is not so. There are no restrictions in Lahore, in the Punjab and the rice is sold at the rate of 12 or 13 seers to a rupee. Thus the cultivators get much more than the market price when the Department purchases their produce. Self-interested persons want to get more than the market price.

KHAWAJA GHULAM MOHAMMAD SADIQ : What reduction has been made in the land-revenue?

PANDIT AMAR NATH KAK : At present there is no question of land-revenue here. You can bring a separate resolution about the land-revenue as to the principle on which land-revenue should be reduced. The question is not that the Regulation may be repealed and the report of the Select Committee may be rejected but rather the point at issue is whether the report of the Select Committee may be circulated for public opinion or not. What is the use of publishing this report? This will be uselessly postponed for six months. The report of the Select Committee is not contrary to law therefore it should be passed.

KHAWAJA GHULAM MOHAMMAD SADIQ : No, it should be circulated.

PANDIT AMAR NATH KAK : There will be no use in circulating it.

MR. M. A. BEG : It will be useful.

PANDIT AMAR NATH KAK : The inviting of public opinion at this stage will cause many difficulties. It will be we who are giving our opinion here, who will give opinion there also. The matter will be prolonged. The circulation will only serve as a dilatory tactic. If on voting the majority is opposed to the resolution it will sutomatically fail. There will be no use in inviting public opinion.

The House then rose for lunch at 1 P. M.

AFTER LUNCH.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Does any one else want to speak?

AGHA SYED HUSSAIN (State Councillor) : As I was also a member of the Select Committee I am also duty bound to say something about it Though I cannot make a long speech still I want to explain what happened in the Select Committee. First of all I want to remark that in the Select Committee we three, Khawaja Sanaullah Shah, Khawaja Ghulam Mohi-ud-Din and myself, were the persons who had zamindari interests. We were also opposed to smuggling and we stated that we would not oppose the measures that were being devised to check smuggling, for we know that it is not our zamindars who smuggle but rather it is some other persons who unlawfully import Shali into the city. This was what we said before the Select Committee. Now I want to submit that it was on these grounds that we supported the appointment of an Advisory Board. The reasons as to why this was done are that we contemplated that the rates will not change frequently but rather they will be changed from time to time ; say six months before every Fasli year and therefore it will be proper to fix the rates some time earlier.

There are two sessions of the Praja Sabha during one year therefore it will not be proper to change the rates without consulting the Praja Sabha. Government cannot change rates by itself and if some changes have to be made in rates they should be made on the floor of the House. Hon'ble Revenue Minister and the Director Food Control Department said that it would be a dilatory process, whereupon Pandit Jia Lal proposed that an Advisory Board consisting of five non-official members (three from rural areas and two from the cities with Hon'ble Revenue Minister and Director Food Control Department as *ex-officio* members) be appointed.

If you, gentlemen, now want to propose some constructive scheme that can be done *i. e.* if out of the four members namely, the Hon'ble Revenue Minister, Director Food Control Department and the two other members, the selection of one member may be such that the number of the zamindar members may become four, it would be better. Now that this bill has been published and the opinions of the public have been received it will be difficult to start with it afresh Therefore in my opinion it would be better to propose constructive amendments, if any, on the floor of the House. I only want to make it clear to you as to how the appointment of an Advisory Board has been agreed to. The Director apprehends that if he will not stop the smuggling it will lead to under-selling and then, it will be difficult for the department to run its work smoothly. Mr. (now Sir) Glancy had thought over the advantages and disadvantages to the zamindars while framing this Regulation and this was not done with a mere stroke of pen. Rates were prescribed for each Ghat separately after much consideration and in consultation with the zamindars. If in your opinion it is necessary to make further amendments in it that should be done here in this House. As the Government was in urgent of this Regulation the compromise proposed by Pandit Jia Lal Kilam was accepted by the Select Committee and an addition was made to section 10.

Moulvi Mohammad Abdulla (Shah Hamdan Srinagar City : Muslim) : In my opinion no misunderstanding should have arisen with regard to the views expressed by Sardar Budh Singh which have been supported by subsequent speeches. Here we have nothing to do with the repeal of the original law. The question is that in view of the existing difficulties of the zamindars it will be proper to circulate the report of the Select Committee for public opinion. The law is already stringent. It should not be made more stringent. None can doubt the stringency of this law because this has been admitted even by the official members who have expressed sympathy with the zamindars.

Pandit Jia Lal Kilam : Our sympathy also goes along with it.

MOULVI MOHAMMAD ABDULLAH : Sympathy is found only where there is a feeling. Agha Sahib has also stated in the course of his speech that it will not be proper to change the rates. When the subjects are already complaining and crying against this restriction, further restrictions would mean 'killing the dead'. The amendment which is being made in the Regulation does not mean any thing except putting further restrictions. It would be better to invite public opinion otherwise there is every likelihood of dangerous consequences. We only mean to say that the amendment which has been proposed imposes great restrictions. Therefore I want that public opinion may be first obtained so that the poor people may not be made to undergo further hardships. It is an economic problem. It is not proper that a committee consisting of a few persons be set up who may prescribe rates for potato, cloth, shawl and other articles. It is against the principles of commerce. Trade should not be hampered. It rests with nature and not with any committee or Government to prescribe rates. If Government start prescribing rates like this there is every danger of serious consequences. When it cannot be the function of a committee why are the rates then prescribed?

I would submit that the zamindars will regard it as a great restriction if the rates are fixed below Rs. 3/12/-. If there is no good harvest anywhere, the zamindars have to purchase Shali from some other place. If the rates of the Shali produced by the zamindars are reduced their condition will become helpless. This has never been the work of any committee to prescribe rates. If the zamindar is allowed to sell his Shali himself in the city he can become prosperous. It would mean selfishness on our part if we say that the powers to prescribe rates may be entrusted to a Committee. This is against the law of nature. In this way the rates will go down and the result will be that the poor zamindar will be ruined and if this report is not circulated for public opinion it will be very oppressive. This means that there is majority of official votes.....

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Do you count Mr. Kak's and Mr. Kilam's votes in official votes? (Laughter)

MOULVI MOHAMMAD ABDULLAH : State Councillors and Hon'ble Ministers are included in the official members, I always give sincere advice to the Government. I am a Government man. My friendly advice to the Government would be that this report may be circulated for public opinion.

MIAN AHMED YAR (Muzzaffarabad :Muslim) : I do not want to take much time of the House and only submit that it is not enough to keep in view the facilities and comforts of the citizens alone. It

would have been much better if no amendment bill had been brought in ; as it is evident from the last session's proceedings that there was great opposition to this amendment bill and even afterwards, inspite of the public opinion, a majority of the members opposed the amendment.

Agha Sahib has also stated that this amending Regulation requires a constructive amendment because it mainly affects the zamindars. As a principle everybody is opposed to the very Regulation and causing further discontent amongst the people is not justified. People wish that provision may be made for making the present arrangements suitable and not increasing the discontent. In this State all communities have been properly adjusted therefore if some facilities are intended for the citizens it should not be at the expense of lacs of other human beings.

Arrangements should be such whereby neither party stands to loose. In view of these circumstances I would submit that if the report of the Select Committee is accepted without obtaining the public opinion much discontent will be caused among zamindars especially when no demand for the reduction of rates has been made to the Government by the citizens. Such an action would only mean that the already oppressed majority will be further oppressed. It is very necessary that the interests of the majority be safeguarded and there is a proverb in English to the same affect. "To please ten and displease one is the golden rule of economics". Therefore it will be a sheer injustice if for the sake of enlisting the sympathies of ten persons discontent is caused amongst thousands. What we have to see is the way how a majority of the people can be made happier and more prosperous. In view of these circumstances, I would say that the report of the Select Committee about this amendment bill may be circulated for public opinion so that the zamindars may express their opinion about this bill. The House may express its opinion after satisfying itself about the full details of this bill in the light of public opinion.

CAPTAIN R. G. WREFORD (Director, Kashmir Valley Food Control) : (Written speech)

Sir,

The present bill.....

NOTE —When Captain Wreford stood up to make his speech Mr. Ghulam Mohammed Sadiq rose and inquired from the Hon'ble President whether the member was going to speak on behalf of the Government ?

The Hon'ble President replied Yes.

The member then resumed his speech.

Sir,

Purpose.—The present bill is necessary to bring the existing Regulation into line with the constitutional changes that have taken place since it was framed. At present the hands of Government are tied. It is obvious that it should be within the proper authority of His Highness' Government to take a decision.

Opposition.—Opposition is chiefly directed to the proposal to make it possible for His Highness' Government to modify the purchase rate. There is no reason to assume that His Highness' Government will act unfairly in this matter. Those that oppose the bill do so because they desire that the price now paid for Shali should never be changed.

Purchase rates.—I should like to emphasise that the present purchase rates were fixed at a time of very high prices. They are practically double the rate at which *assamis* are assessed for revenue. We have maintained these prices for nearly 15 years whereas everywhere else a very heavy fall in the price of all commodities occurred in 1929 and still continues. As prices of all commodities were affected by the Great War and rose steeply so have they fallen heavily as a result of the world-wide depression. The price of everything has fallen. Shali cannot be the sole exception. The very term control implies the power to act.

Power.—Those who oppose the bill do not wish to give His Highness' Government this power. Do they wish that His Highness' Government should stand by helpless and watch the Grain Control scheme crash? The Food Control Department has been the producer's best friend for 15 years and will continue to give full consideration to his interests; there is no intention to treat him unfairly. But if present conditions continue it is impossible to maintain present purchase rates and His Highness' Government must have the power to modify them. We cannot continue to pay a price 50 per cent. higher than that paid by our competitors unless we have a market for disposal of our stocks so well protected that there is no leakage. In an endeavour to dispose of our stocks to enable us to continue to pay existing purchase rates we prohibited the import of privately owned grain into Srinagar except on permits. Could these restrictions be effectively enforced we could continue to pay the present rates indefinitely but I regret to say that smuggling has been very extensive. The paradox of the position is that some of those who oppose this bill also press for the removal of restrictions by which alone as I have already stated we can hope to maintain the price we pay for Shali at present. Unfortunately one cannot have ones cakes and eat it.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Now the question before you is whether the proposal of the Select Committee may be taken into consideration? Those who are in favour of it will write 'Yes' and those against it will write 'No'. I do not think that this is the correct way of putting the question and we should take up the amendment. You will have to say whether this may be circulated or not. Those in favour of the circulation will write 'Yes' and those who are opposed to it will write 'No'. I

made a mistake at first. The amendment is now being put to vote. Those who support Sardar Budh Singh will write 'Yes' and those who oppose him will write 'No'.

NOTE.—Votes were taken.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The amendment is lost by 41 to 24.

Now, those in favour of taking the reported bill into consideration may raise their hands.

NOTE.—Hands were raised.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Carried!

SARDAR BUDH SINGH : My amendment is about the report of the Select Committee.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) (To Sardar Budh Singh) : You are opposing the report of the Select Committee as well as the original Bill, therefore votes cannot be taken. What do you wish? Should the report of the Select Committee or the Bill be repealed?

SARDAR BUDH SINGH : My amendment is quite clear.

MIAN AHMED YAR : May I raise a point of order.

According to Rule 29 (2) no doubt a negative vote may not be inoved but section 29 does not apply to this case, concerning legislation. We see that Rule 48 starts the procedure laid down for the purpose, and according to Rule 62, there is no restriction about moving an amendment. Rule 29 does not apply to legislation.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : It applies to all.

MIAN AHMED YAR : Rule 62 is quite clear on this point and had there been any restriction to move amendments there must have been some mention thereof.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : At this stage a ruling is necessary. The proposal brought in by Sardar Budh Singh is such that the Bill may not be accepted. It is provided in section 29, sub-section 2 that no such amendment can be moved which has the effect of negative vote. Mr. Ahmed Yar has said that section 29 does not govern this whereas my ruling is this.

RULING OF THE HON'BLE PRESIDENT.

My ruling is that section 29 will not only govern a particular amendment but all amendments in general.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Amendments proposed by Pandit Ram Chandra Dobey!

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The amendment brought by Mr. Dobey is time barred, therefore it cannot be admissible.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : An

objection was made by the Hon'ble Revenue Minister that the amendments were beyond time so they will not be put before the Praja Sabha.

Next comes Mr. Dobey's amendment!

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Pandit Ram Chandra Dobey's amendment is time barred. According to Section 62 it has not been submitted within two day's notice, therefore it is not admissible.

PANDIT RAM CHANDRA DOBEY : The Hon'ble President has admitted this amendment.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : I have only writen "put up after time", I have not the power to reject it.

SARDAR BUDH SINGH : Sir, when my amendment was considered in time Dobey Sahib also brought his amendment on the same day. separately. Why is it said about his amendment that it is not in time and how can this be rejected according to this ruling.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : But yours is in time!

SARDAR BUDH SINGH : His too is in time.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Yours stands at No. 2 and his at No. 3.

MR. M. A. BEG : Sir, your Honour has not given any ruling about what has been stated by Mr. Dobey. Sardar Sahib has also submitted some thing about it. No doubt whatever objections have been made by the Hon'ble Revenue Minister, they have been made in the capacity of a party concerned. Now it rests with your Honour under the provisions of section 62 provided your Honour exercises the power granted thereunder. I would submit that to consider the addition made in section 10, the House has had no time. We were under the impression that the amendment will be brought before the House and will be passed by the votes of majority and then afterwards it will be considered by the Select Committee but the House has had no opportunity to do so. Therefore I would request your Honour to admit this amendment so that we may be allowed the opportunity of expressing our opinion about section 10.

THE HON'BLE MR. WAJAHAT HUSSAIN : Sir, it has been submitted that your Honour may use the special powers and allow us to discuss the amendment which has been delayed. Undoubtedly your Honour has the right to reject the amendment but such powers may be used only very sparingly.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : This difficulty can be settled like. Under section 64, I can take the bill clause by clause and put that clause separately.

THE HON'BLE LIEUTENANT COLONEL E. J. D. COLVIN (Hon'ble Prime Minister) : Will you kindly explain about 'yes' and 'no'.

The Government will have no objection to the deletion of section 10.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The Government is willing to give up section 10 and the annexure. This will be deleted :—

"The executive staff of the Kashmir Valley Food Control Department defined in the annexure to this Regulation shall be competent to arrest a person against whom a reasonable suspicion exists that he is attempting to import Shali without a permit into the Municipal limits of Srinagar.

The person so arrested shall be taken to the nearest Police Station, without any unnecessary delay, along with any Shali or rice seized from his possession". And the annexure.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : I move that the Bill which has been moved by the Select Committee may be passed excepting the addition that has been made *i. e.* section 10 and the annexure containing the list of establishment.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Passed.

THE HON'BLE MR. WAJAHAT HUSSAIN : Sir, I pray that the Bill regarding the "Taking of Measurements and Photographs of Convicts and other persons which was printed in Government Gazette No. 45, dated 5th Bhadon 1993, be referred to a Select Committee consisting of :—

1. Home Minister (President),
2. Colonel Sansar Singh,
3. Wazir Ganga Ram,
4. Khawaja Sanaullah Shah,
5. Mr. M. A. Beg,
6. Kh. Syed Hussain Jalali, and
7. Pandit Jia Lal Kilam.

KHAWAJA GHULAM MOHAMMED SADIQ : With the permission of Mr. Beg I will propose the name of Mian Ahmed Yar.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Just wait a minute.

THE HON'BLE MR. WAJAHAT HUSSAIN : All right. Mian Ahmed Yar instead of Mr. Beg.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Now, I would request you that the Bill which has been put before the House by the Home Minister be sent to the Select Committee. The names of the members who have been appointed on the Com-

mittee are :—

1. Hon'ble Home Minister (President),
2. Wazir Ganga Ram,
3. Khawaja Sanaullah Shah,
4. Syed Hussain Shah Jalali,
5. Colonel Sansar Singh,
6. Pandit Jia Lal Kilam, and
7. Mian Ahmed Yar.

Those who are in its favour may please raise hands. (Hands were raised)

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The motion is adopted.

THE BILL TO AMEND THE STAMP REGULATION OF 1977 (PRINTED IN GOVERNMENT GAZETTE NO. 48, DATED 26TH BHADON 1993).

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Thakur Sahib.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : Under section 38 of Regulation No 1 of 1991, I place before the members of the House "The Bill to Amend the Stamp Regulation of 1977". All those members who want to ask any questions or move any resolutions can do so.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : When I was officiating as Prime Minister Mr. Dobey made an application to me that there should be no stamp duty on 'cheques'. If any of you gentlemen, has any complaint to make he can put it before the House.

NOTE.—None came forward.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) :No question was asked or resolution put in when the Bill was placed before the Praja Sabha under section 38 of Regulation No. 1. A report shall therefore be made to the Hon'ble Prime Minister for information of the Council that no question was asked or resolution put in when the Bill was placed before the Praja Sabha.

THE MATCHES EXCISE DUTY REGULATION NO. IV OF 1992.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Mr. Justice Abdul Qayoom will lay before the House Bill to Amend Matches Excise Duty Regulation.

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM : This amendment is put up simply for the reason that because of a clerical error. the words "His Highness the Maharaja Bahadur" have been used instead of "His Highness the Maharaja Bahadur

in Council" Therefore its amendment is necessary.

PANDIT RAM CHANDRA DOBEY : In this connection I want to submit that why is a distinction being made here in the definition of 'H's Highness' and the definition adopted in the Regulation No. 1?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : It will be made more clear thereby.

No question was asked or resolution moved. A report shall be made to this effect to the Hon'ble Prime Minister for the information of the Council that no question was asked or resolution moved when the Bill was placed before the Praja Sabha.

ELECTION OF MEMBERS FOR THE BOARD OF INDUSTRIES.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : A proposal to select four members for the Board of Industries is put before you. The words "By a single transferable vote" are written in it. But there is some difficulty about it. Therefore you can in mutual consultation with your party leaders, put up the names. All these members should be non-officials. Let Mian Ahmed Yar suggest one member ; let the other be selected by Mr. Dobey and let the third be selected by General Janak Singh Ji.

PANDIT RAM CHANDRA DOBEY : I suggest the name of Mr. Amar Nath.

MIAN AHMED YAR : I suggest the name of Sheikh Mohammed Amin

MAJOR GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : I suggest Pandit Lok Nath Sharma.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Four are wanted. I suggest Lala Shiv Nath Nanda. He is a business man.

MR. M A. BEG : Yes. It must be done like that or he will creat much fuss.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The names of four gentlemen have been put before you.

1. Lala Amar Nath,
2. Sheikh Mohammad Amin,
3. Pandit Lok Nath Sharma, and
4. Mr. Shiv Nath Nanda.

Do you all agree to that?

A UNANIMOUS VOICE : Yes.

The Praja Sabha then adjourned till 11 A. M. next day (Tuesday), the 6th October 1936.

JAMMU AND KASHMIR PRAJA SABHA.

Tuesday the $\frac{\textit{6th October 1936.}}{\textit{21st Katik 1993.}}$

The Praja Sabha met in the Praja Sabha Chambers at Rajgarh Palaces at Eleven of the Clock. Mr. President (The Hon'ble Sir Barjor Dalal Kt.) in the Chair.

One new member, Lala Haveli Ram, General Secretary to the Government, was sworn in.

NOTE.—Lala Haveli Ram read out answers on behalf of Hon'ble Prime Minister and Pt. Ram Nath Sharma on behalf of the Judicial Minister.

QUESTIONS AND ANSWERS.

64. SUBEDAR KHAN MOHAMMAD KHAN (Bagh Sudhnuti, Poonch :Muslim) : Is it a fact that when Mr. Jardien and Colonel Baldev Singh Pathania, the present Governor of Jammu, toured through Zail Tarala, Tehsil Kotli, District Mirpur during disturbance, they promised to construct a suspension bridge over Sural and that afterwards a map was also prepared? If the reply to the above be in the affirmative, what are the reasons for not constructing a bridge there. inspite of the fact that a period of three years has elapsed?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : Yes. The estimate is being prepared.

65. MIAN QURBAN AHMED (Kathua :Muslim) : Is it a fact that the zamindars of Chak Sajjan, Tehsil Kathua, petitioned the Tehsildar to make arrangements for water supply as their tank had been filled up and they felt inconvenience for want of water?

(*b*) If it be a fact, will Government please state what action they have so far taken?

(*c*) If no action has been taken, what are the reasons?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) Yes.

(*b*) and (*c*) The work has been included in the five years' programme of water supply to Kandi, and work will be taken in hand on allotment of funds.

66. SUBEDAR KHAN MOHAMMAD KHAN : Is it a fact that the zamindars of village Pana, Zail Tarala, Tehsil Kotli, submitted many petitions for opening a primary school?

If the reply to this be in the affirmative, what was the obstacle in starting a primary school there? Is the Government prepared to

recognise the school privately started by the people for the last three or four years to be a Government school?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : The second part of the question does not arise.

The Manager of the school may apply to the Director of Education for a grant-in-aid. The application will be considered according to the rules.

67. MIAN QURBAN AHMED : (*a*) Will Government please state whether Paras Ram, Zaildar of Budhi, gave a written undertaking on 15th Jeth 1990 in the presence of the Tehsildar and the Sub-Inspector to give some land for the building of a mosque?

(*b*) If the answer to the above be in the affirmative, will Government please state where that written undertaking is?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) The Zaildar never gave any written undertaking on the mentioned or on any other date.

(*b*) Does not arise.

68. LALA SHIV NATH NANDA : (Srinagar City :Hindu other than Kashmiri Pandits) : (*a*) Is it correct that the Khatris and the Mahajans who own lakhs of Ghumaons of land in the State are deprived of agriculturists' rights merely because of their being money-lenders, inspite of the fact that their principle means of subsistence is agriculture?

(*b*) Is it correct that agriculturists' rights have been granted to other classes like Brahmans and Khojas etc. who are zamindars as well as money-lenders?

(*c*) If the reply be in the affirmative, will the Hon'ble Revenue Minister State as to why unjust treatment is accorded to other classes?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) Yes, because agriculture is not the principal means of subsistence of majority of them. The member Praja Sabha appears to have given an exaggerated account of their landed possession.

(*b*) Yes, in the case of Brahmans, because majority of them depend upon agriculture as chief source of livelihood.

The member Praja Sabha's information in respect of Khojas is incorrect. Khojas in the Jammu Province were specifically excluded from the list of agricultural classes.

(*c*) This part is disposed of by (*a*) and (*b*) above. There is no unjust treatment.

LALA SHIV NATH NANDA : Will the Hon'ble Revenue Minister be pleased to state whether the statement that the means of livelihood of these people is not generaly agriculture was made after having held an enquiry into the matter.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : This

is a separate question and it raises discussion.

69. SUBEDAR KHAN MOHAMMAD KHAN : (*a*) Are scholarships awarded to those students of the Jammu and Kashmir State who receive education in British India?

If the reply to the above be in the affirmative, why are scholarships not awarded to those students of Jammu and Kashmir State who are studying in Poonch schools?

(*b*) Is it a fact that in accordance with the recommendation of the Director Education, Jammu and Kashmir under 8967/6.5, dated 8th August, 1934, a scholarship was sanctioned in favour of one Daler Khan student 8th class Palandari High School, Poonch, son of Feroz Khan Zaildar deceased of the village Tarala, Tehsil Kotli, District Mirpur, but it has not yet been paid to him? If so, why has not the scholarship been paid to him?

(*c*) Is it a fact that the scholarship of the above mentioned student Daler Khan was again withheld under 4297, date 16th March, 1936 on the grounds that the student was reading in Illaqa Poonch? If the reply to the above be in the affirmative, then just as those students of the State who are receiving education in British India are entitled to receive scholarships, why are those students who are studying at Poonch not entitled to scholarships, inspite of the fact that Poonch is considered to be a part of Jammu and Kashmir territory?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : (*a*) No.

(*b*) Yes.

(*c*) Scholarships are not awarded to students of the State reading in Primary, Middle and High schools in British India but special scholarships are granted for Post-Graduate studies outside the State. Daler Khan's application was accepted by the Director of Education, but on enquiry it was found by him that under the rules Daler Khan could get no scholarship from the State funds, as he was reading in a school in Poonch. His original order was therefore cancelled.

SUBEDAR KHAN MOHAMMAD KHAN : If any student belonging to Jammu and Kashmir State be reading in a school in Poonch Illaqa because of nearness thereto, is it not just that he may be given a scholarship? If it is not just what are the reasons?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : Scholarships cannot be granted according to rules.

SARDAR BUDH SINGH (Mirpur-Poonch :Sikh) : When Illaqa Poonch is a part of the State why it cannot be so done there?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : You will come to know by seeing the budget that according to that the scholarship cannot be given.

70. MOULVI MOHAMMAD ABDULLA (Shah Hamdan, Srinagar

City :Muslim) : (*a*) Is it a fact that in the Kashmir valley no amount is charged as *Malikana* over and above the land-revenue and that 30 per cent. of the gross produce is charged as the share of the Government as has been stated in reply to my question Q. D. No. 162 (Serial No. 509) asked on 30th March 1936.

(*b*) If the answer to (*a*) be in the affirmative, are Government prepared to fix the land-revenue at 25 per cent. of the gross produce?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) *1st part*.—Yes.

2nd part.—As intimated in reply to first part of Q. D. No. 162 of March-April 1936 session, actually the assessments have been fixed at varying rates lower than thirty per cent.

(*b*) The incidence of assessment in the Kashmir valley is not unfavourable to the zamindars and does not therefore warrant revision and this cannot be done before the expiry of term of Settlement. In this connection the member Praja Sabha is referred to Chapter V part (3) of the Glancy Commission Report, relative portion from which reads as follows :—

> "If the Kashmir valley were equitably re-assessed at the present time, the assessment would show a material increase".

MOULVI MOHAMMAD ABDULLA : My question is whether in Kashmir 30 per cent. of gross produce is realised towards land-revenue. I want a reply to this in "yes" or "no".

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You have asked whether the Government are prepared to fix it at 25 per cent. You have been given a reply to this.

MOULVI MOHAMMAD ABDULLA : I want a reply in "yes" or "no" to the first part of my question.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : It has been replied in 'yes'.

MOULVI MOHAMMAD ABDULLA : On what principle is this based?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You can bring a resolution for this. You have been given a reply to this.

MOULVI MOHAMMAD ABDULLA : There is no such reply on my table.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Next question ! Mian Qurban Ahmed !

MOULVI MOHAMMAD ABDULLA : Sir, is this all the reply to my question?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You will not get it.

71. MIAN QURBAN AHMED : (*a*) Is it a fact that the Wazir Kathua verbally ordered the graveyard Mauza Mawa, Tehsil Jas-

mergarh which is 20 kanals and 7 marlas in area to be broken up for cultivation and consequently its area has dwindled down to 13 kanals 7 marlas and that it has led to an excitement among the Muslims?

(*b*) If the answer to the above be in the affirmative, will Government please institute an inquiry into the matter and take steps to prevent the Hindu-Muslim tension which also involves the Government in trouble?

(*c*) If the answer to (*a*) above be in the affirmative, what are the reasons for doing so?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) No.

(*b*) The local Tehsildar has been asked by the Wazir Wazarat to make an inquiry. Anyone found to have encroached upon the graveyard area will be ejected and properly dealt with.

72. MIAN QURBAN AHMED : (*a*) Will the Government please state whether Munshi Allah Ditta, Municipal Commissioner Kathua, made a statement before the Sub-Judge Kathua that they boycotted him?

(*b*) If the answer to (*a*) be in the affirmative, will Government please state what action was taken on it?

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM (On behalf of the Hon'ble Judicial Minister) : (*a*) No.

(*b*) Does not arise.

73. MOULVI MOHAMMAD ABDULLA : (*a*) Is it a fact that in order to stop the improper activities of the purchasers of land the system of issuing certificates of being agriculturists was discontinued and it was ordered that a list of agriculturists be prepared again?

(*b*) If the answer to (*a*) be in the affirmative, is it a fact that now revising the said order, recourse has again been had to certificates?

(*c*) If the answer to (*b*) be in the affirmative, is it a fact that issuing of certifiicates on inadequate grounds is a common thing in the State?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) No. What was done was that instructions were issued by the Governor Kashmir (since withdrawn) that in issuing certificate of agriculturist, certain matters should be taken into consideration to safeguard the interests of bonafide agriculturists and to prevent malafides acquiring land against the spirit and intention of the Alienation of Land Regulation. This has been fully explained in reply to Q. D. No. 431 of the last session.

(*b*) and (*c*) Do not arise. The provisions of Land Alienation Regulation are now being followed rigidly.

MOULVI MOHAMMAD ABDULLA : Can you tell us about those particulars.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : The particulars are as has been stated during the last session, the list of agriculturist classes of Kashmir was prepared in a negative manner and not in a positive manner and therefore certain minor classes could obtain permission for purchasing land by only putting an application which could not be inquired into. As the list was prepared according to negative manner (of definition) so even if some people were not agriculturists still they could entered as such. It was therefore that the Governor imposed the restrictions of the certificate so that the entries in the records may be seen and the rights of the agriculturist classes may be safeguarded. It is on account of this that enquiry is made.

74. CHOUDHARI ABDUL KARIM (Mirpur-Kotli :Muslim) : (*a*) Is it a fact that in the Government school, Kotli, education is imparted upto the ninth class only? As there is no special difficulty now in the way of the Government in raising it to a High school, will the Government be pleased to sanction a High school for Kotli and thus oblige the helpless people of Kotli? If not, why?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : (*a*) Yes. No new High school is going to be opened this year.

75. CHOUDHARI ABDUL KARIM : (*a*) Have Government issued instructions that the timber which is granted to zamindars for building purposes should not be given from the neighbouring forests?

(*b*) If the Government have not issued such instructions how is it that timber for building purposes is not granted to those people who are living near about Kotli from the neighbouring forests?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) No.

(*b*) Trees cannot, under the Jammu Forest Notice, be marked for zamindars if they are not silviculturally available from the neighbouring *i. e.*, nearest forests.

76. MIAN QURBAN AHMED : (*a*) Is it a fact that the Government nominated Fazal Din Seti instead of Asghar Ali as a member of the Town Area Committee?

(*b*) Did Government enquire whether the police had maintained his history-sheet and whether many other persons more efficient and highly qualified were available?

(*c*) If the answer to (*a*) be in the affirmative, will Government please state whether the appointment of such persons as members does not amount to violation of others' rights?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) Yes. Sh. Ashar Ali was found to be a non-State-subject.

(*b*) The local Wazir considered Fazal Din a fit person in

every respect after satisfying himself by enquiries.

(*c*) In view of (*b*) above, does not arise.

MIAN QURBAN AHMED : Have the Government held any enquiry as to whether the history-sheet of Fazal Din has been opened.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : It is a new question.

MIAN QURBAN AHMED : No Sir, it is not new.

MAJOR GENERAL RAO BAHADUR THAKUR JANAK SINGH JI (State Councillor) : In (*b*) it is mentioned.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) (addressing the Hon'ble Revenue Minister) : Have you no information about it.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : That is a Police matter, Sir.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : It will be referred to the Hon'ble Home Minister. A note shall be made that an enquiry will be made from the Home Minister regarding this matter.

77. CHOUDHARI ABDUL KARIM : (*a*) Will the Hon'ble Revenue Minister please state whether the Government has empowered the Jagirdars, Chakdars or proprietors to realise any tax from the occupancy tenants on the occasion of marriage or other such occasions?

(*b*) If they have no such powers, will the Government issue instructions to the effect that no such tax be realised or other unlawful collection of money be made from the occupancy tenants?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) No.

(*b*) The relation between a landlord and his tenant is governed by the agreement mutually arrived at by them and if any recovery is made by a landlord contrary to such customs or the provisions of the Tenancy Law, the aggrieved party can take recourse to a competent court.

78. LALA SHIV NATH NANDA : Is it a fact that most of the roads in Srinagar were metalled and tarred in the month of Har 1993 and repairs were also made, but inspite of all this, small pits are to be found on these roads wherein the rain water collects itself and the roads are dusty as before? If the reply to this be in the affirmative, will the Hon'ble Home Minister please state as to why our roads cannot be improved inspite of spending such a large amount?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : The member is aware that the roads in Srinagar are partly in charge of the P. W. D. and largely in that of the Municipality. A few miles of the P. W. D. roads have been repaired. No pits have

been found in the roads so repaired. A more expensive treatment of roads is necessary in order to make them completely anti-dusty.

MAJOR GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : There has never been any rain after the month of Har. How is it then that the water overflowed the roads?

LALA SHIV NATH NANDA : Has the Hon'ble Home Minister ever come out of his car and inspected any road?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : Often I have been there on foot and inspected the roads.

79. MOULVI MOHAMMED ABDULLA : (*a*) Did the Government state in reply to the question 69 of the last Srinagar session that the question of repairing the list of agricultural classes of Kashmir Province was under consideration? (*Vide* (*a*) (*ii*) on page 51 of Jammu and Kashmir Praja Sabha Debates).

(*b*) If the answer to (*a*) be in the affirmative, will the Government please state whether the said list has been prepared and what has been the criterion in determining agricultural classes?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) Yes.

(*b*) Yes, the list has been prepared but is pending for discussion in a meeting of officers set up to scrutinise it. The criterion is the basic principle underlying the enactment of the Alienation of Land Regulation, *viz.*, classes, majority of whose members depend upon agriculture as the chief source of their livelihood and earning, are to be treated as agricultural classes.

MIAN AHMED YAR (Muzaffarabad :Muslim) : When will this auditing come to an end? When can this matter be decided?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : It will be finished soon.

MIAN AHMED YAR : Some period should be specified to show that it will be soon finished.

80. CHOUDHARI ABDUL KARIM : Is it a fact that in some previous session of the Praja Sabha it was stated in reply to a question that the question of establishing a Sessions Judge's court at Mirpur is under the consideration of the Government? Has some further consideration been given to it; if so, when can we expect that a Session's Judge court be established at Mirpur?

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM (On behalf of the Hon'ble Judicial Minister) : The question is still under consideration.

81. LALA SHIV NATH NANDA : Is it a fact that a deputation of the Hindus and Sikhs of Illaqa Poonch waited and complained that those Sikhs and Hindus who have been declared to be agriculturists for thousands of years, are being deprived of their agriculturists' rights under a new scheme? If the reply be in the affir-

mative, will the Hon'ble Revenue Minister please state as to what reply was given to this deputation and whether it is not based upon injustice to deprive them of their long standing rights?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : *1st part.*—Yes.

2nd part.—The Poonch Administration can better judge of the local conditions and they were of opinion that as the majority of persons whose claims the deputation represented did not depend upon agriculture or occupations subservient to it as the chief source of livelihood, they could not be included in the list of agriculturists. It was, however, emphasised that no class fulfilling the above-mentioned criterion should be excluded from the list of agricultural classes. Further, it is always open to a class to satisfy the Illaqa administration by quoting facts and figures that the main source of their livelihood is agriculture and unless they can do it, their claim cannot be entertained.

SARDAR KANHAYA SINGH (West-Kashmir :Sikh) : Do a majority of Sikh population of Poonch live chiefly on agriculture or not? If it is a fact what objection is there in declaring them as agriculturists?

(VOICES FROM POONCH MEMBERS' BENCHES) : Sikhs in Poonch are already declared as agriculturists.

82. MOULVI MOHAMMED ABDULLA : (*a*) Is it a fact that the village Sair of Tehsil Baramulla is a Jagir of some Jagirdar.

(*b*) If the answer to (*a*) be in the affirmative, is it a fact that village Mazabug of Tehsil Baramulla is separate from village Sair and has no connection with the Jagir of village Sair?

(*c*) If the answer to (*b*) be in the affirmative, is it a fact that the Jagirdar of Jagir Sair is appropriating to his own use the whole or a part of the grazing fee from the village Mazabug considering it to be part of his Jagir?

(*d*) If the answer to (*c*) be in the affirmative, it may please be stated under what rule or order the Jagirdar is realising this amount?

(*e*) If the answer to (*d*) be that the grazing area of Mazabug is included in the village Sair, then it may please be stated whether originally the Jagir comprised the whole or a part of the village Sair? If the whole of this village constituted the Jagir, since how long and under what order has it been declared so?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) Yes.

(*b*) Yes.

(*c*) Yes, of a part of the Mazabug one 'patti' of which adjoins Sair village.

(*d*) and (*e*) The question of propriety or otherwise of the collection of the grazing dues in question is separately under consideration, final orders on which will be passed in due

course.

As regards last part of the question, the Jagir village of Sair was continued in favour of the Jagirdar under Resolution No. 7 of 18th October 1898, subject to the condition that the part of Mazabug village adjoining Sair be treated as Chaks under Khalsa and not Jagir.

MOULVI MOHAMMED ABDULLA : The question was whether that Jagirdar realises the Kahcharai of village Sair or not?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : Yes. He realises this.

MOULVI MOHAMMED ABDULLA : Is that part included in the Jagir or not?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Inquiry is being held and the matter is under consideration.

MOULVI MOHAMMED ABDULLA : The question is whether the part for which he receives Kahcharai is or is not included in the area of Jagir. Is it on principle or on propriety of this that the enquiry is being held?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : The reply has been given as to what right has the Jagirdar to realize the Kahcharai from the Chak.

MOULVI MOHAMMED ABDULLA : My question is whether the inquiry is being held about recovery or area?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI (Finance Minister) : It has been stated that the enquiry is being held.

MIAN AHMED YAR : Why has not this Chak been granted to the zamindars?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : They are enquiring. What is the gain by asking a question like that. Why do not you go to a court. Whoever is affected by this or suffers damage should go to the court.

MIAN AHMED YAR : Your Honour cannot realise the difficulty concerning the Jagir.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : That is not the case. Only as far as the Sanad is concerned they cannot go to the court. The matters which are out of Sanad can be brought to a court. Let them put in an application or come to a court.

MIAN AHMED YAR : It is obvious.

83. MIAN QURBAN AHMED : Will Government please consider the question of appointing a Commission to enquire into the causes of Hindu-Muslim riots so frequent in Kathua District, so that steps for their prevention may be taken.

PANDIT RAM NATH SHARMA (On behalf of the Hon'ble Prime Minister) .: There have been no riots in Kathua and the

question therefore does not arise. On the other hand Government has reason to believe that the relations between the two communities are at present cordial.

MIAN QURBAN AHMED : Are Government prepared to enquire about it.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The Government are not prepared to do this.

84. LALA SHIV NATH NANDA : In reply to my question Q. D. No. 467 (Serial No. 355) asked on 25th March, 1936, in which it was submitted that the ditches in Srinagar which become filled with water during the rainy season and thus adversely affect the health, should either be auctioned or made over to the Municipal Committee so that these may be filled up, the Hon'ble Revenue Minister stated that on reaching Srinagar these ditches would be made over to the Municipal Committee?

If the reply be in the affirmative, will the Hon'ble Revenue Minister please state as to what orders have been issued regarding these ditches?

If the reply be in the negative, what are the reasons of reticence?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : Such a reply was never given as there was never any idea of handing over these ditches of the Municipality.

In accordance with orders of the Government steps are being taken for sale of such low-lying lands on the condition that the purchasers should fill them within 2 years. This will remove the insanitary condition of these ditches.

85. SULTAN MOHAMMED FEROZ-UD-DIN KHAN (Muzaffarabad Wazarat :Muslim) : Will the Hon'ble Prime Minister please state whether the Government intend to amend the "State-subject condition"?

PANDIT RAM NATH SHARMA (On behalf of the Hon'ble Prime Minister) : The member is referred to the answer given to Q. D. No. 113 which will be answered on 13th October 1936.

86. MOULVI MOHAMMED ABDULLA : (*a*) Is it a fact that as published in the newspaper "Vatan" of the 6th Katik, 1992 on page 8 column 1, the Government has announced that those who have obtained the certificates of being agriculturists before the year 1984 cannot claim to be agriculturists on the ground of these certificates only?

(*b*) If the answer to (*a*) be in the affirmative, will all the sales and mortgages executed on the strength of such certificates, be considered as void?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (a) The 'Vatan' of 6th Katik 1992, has not been seen. Anyway as regards the point at issue, the Member Praja

Sabha is referred to schedule 11 of the Alienation of Land Regulation of 1990, according to which such persons only can claim the status of agriculturists under this schedule of the Regulation as had obtained the certificates of being *hereditary* agriculturists and not mere agriculturists upto the year 1984.

(*b*) The transactions effected on the strength of such certificates after and not before the enactment of the Alienation of Land Regulation of 1990 are void.

MOULVI MOHAMMED ABDULLA : Why are Government careless about reading papers and why fat salaries are being paid?

(A VOICE) : They do read "Albarq". (Laughter)

87. SARDAR HARI SINGH (Wazarats Jammu, Udhampur, Reasi etc :Sikh) : Are Government prepared to supply in different parts of the Illaqa stud-bulls of high breed so that good bulls may be available for ploughing and thus agriculture may be improved? If not, why?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : The Government has already provided Rs. 17,000 in the next year's budget for supply of stud-bulls of suitable breed to selected places.

88. LALA SHIV NATH NANDA : Is it a fact that it has been represented through press that Chlorine etc., which is used for purifying water, renders it injurious to health if it is put in a greater quantity?

If the reply be in the affirmative, will the Hon'ble Home Minister please state, whether this water has ever been sent abroad to some chemical examiner for testing it so that a satisfactory reply may be given to the public complaints? If the reply be in the negative, what are the reasons for being inactive in this respect?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : I do not know whether such representations have been made in the press.

Yes, in fact Chlorine is one of the poisonous gasses used in war-fare. Chlorination where used in the State is controlled by upto date machinery under expert care.

Systematic and detailed Laboratory examinations of water are carried out in the State Laboratories.

LALA SHIV NATH NANDA : I also have this complaint that Government do not care for reading the papers.

89. MOULVI MOHAMMED ABDULLA : (*a*) Are Government aware :—

(*i*) That a piece of land measuring $12\frac{1}{2}$ Kharwars was granted from the village Rakh-Hajan, Tehsil Baramula as a Chak to Pandit Maharaj Kishan Tikku in 1979 and at the time of taking possession he further enclosed 150 kanals from the area which was under

the Forest Department and planted willow trees thereon?

(*ii*) That in the year 1985 Pandit Sahib got this area transferred to Mahal Sri Hari Gund and at the same time the Wazir Wazarat Baramulla put him in possession of 400 kanals of *Shamilat* area and further added 200 kanals to his Chak?

(*iii*) That in 1990 he reclaimed 400 kanals of land and further unlawfully annexed about 1,700 kanals of land?

(*b*) If the answer to (*a*) be that the Government are not aware of these facts, are Government prepared to appoint some impartial officer to enquire into the matter on spot?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) (*i*) *1st part.*—Yes, in 1978 and not in 1979.

2nd part.—No. At that time no area was under the Forest Department.

(*ii*) *1st part.*—The area in question was reclaimed out of Wooler Lake and as no adjoining village had any right in it, Mr. Middleton, the then Settlement Commissioner obtained Government orders for constituting it into a new Mahal *viz.* Sri Hari Gund. Pandit Maharaj Kishen had no hand in it.

2nd part.—399 kanals and 17 marlas were granted to Pandit Maharaj Kishan as *Shamilat*, he being the only Assami in the village, 85 kanals and 14 marlas under Ailan No. 12 of 1960 under the Governor Kashmir's orders and 446 kanals under rule 9 of the rules for implementing Raj Tilak boon, *vide* Ailan No. 2 of 16th Katik 1984, this also under Governor Kashmir's orders.

(*b*) Thus the total area entered at present in the name of Pandit Maharaj Kishen aggregates to 1,331 kanals 10 marlas and not 3,250 kanals as stated by the member Praja Sabha and as such this part of the question does not arise. All the same the Governor Kashmir is already investigating into the matter separately.

90. LALA SHIV NATH NANDA : Is it a fact that many schemes for imposing water-tax were put forth during the reign of His late Highness Shri Maharaja Pratap Singh Ji Bahadur which were disapproved by the late Maharaja Bahadur on account of the fact that in the first place the late Maharaja Bahadur did not consider it proper to include the water-tax realization in the State income and secondly it was apprehended that the amount realized as tax would not be such as would meet the Government expenditure on the water-pipes?

Will the Hon'ble Home Minister please state as to what is the present income from the water-tax and what is the expenditure?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : The information is not available in this office.

Total income from water-tax Jammu for the year 1991-92 was Rs. 14,989-5-0 and expenditure Rs. 58,933.

Total income from water-tax at Srinagar for the year 1991-92 was Rs. 21,900 and the expenditure Rs. 64,316 amount to :—

		Rs
(*a*) Regular establishment expenditure	...	8,268
(*b*) Annual repairs	...	26,240
(*c*) Original works city improvement	...	29,809
Total	...	64,316

91. SARDAR HARI SINGH : Are Government aware of the fact that the economic backwardness of the zamindars is mainly due to the premature death of their cattle? Are Government in order to prevent this loss prepared to open veterinary hospitals at least in every Tehsil for the present? If not, why?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : *Part* (*a*).—The high rate mortality amongst animals is partly responsible for the economic backwardness of the zamindars.

Part (*b*).—The Government is already keen in the matter and new dispensaries are added from time to time as finances permit. In pursuance of this policy, provision for opening some dispensaries at certain Tehsil Head-quarters and two touring dispensaries has been made in the next year's budget also.

92 SULTAN MOHAMMED FEROZ-UD-DIN KHAN : Will the Hon'ble Finance Minister adopt some means to prevent the payment of counterfeit coins to poor zamindars who cannot judge the genuineness of these coins and are thus robbed of their wages for several days' labour because no sensible man would accept such coins which are found circulating in the State in increasing number?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI (Finance Minister) : The Finance Department has not received any complaint of counterfeit coins having been issued to zamindars from Government treasuries. To stop the circulation of counterfeit coins the Treasury Officers have standing instructions to cut them when presented at the treasuries. The Treasury Officer Srinagar cut a large number of counterfeit coins which were received by him with a remittance and the matter was also reported to the Inspector General Police with a view to eliminate counterfeit coins from circulation as far as possible.

93. LALA RAM LAL (Illaqa Poonch :Hindu) : (*a*) Will Government please state as to how many girl students are receiving education at present in the Putri Patshala at Poonch and what is the monthly grant given to this Patshala by the Poonch Administration?

(*b*) If the answer to (*a*) be this that a monthly grant of Rs. 50 is given to the Patshala it may please be stated whether

this grant is in accordance with the rules followed in Jammu and Kashmir? If not, is the Government prepared to grant aid to the Putri Patshala in accordance with the rules followed in Jammu and Kashmir? If not, full reasons may kindly be stated?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) Total number of girls ... 184
Grant-in-aid ... Rs. 50 p. m.

(*b*) The Wazir Poonch is enquiring into the rules in force in the parent State and will look into the matter.

LALA RAM LAL : What I have asked is whether you are prepared or not to provide grant like Jammu and Kashmir State.

WAZIR FEROZ CHAND (Wazir Poonch) : The matter will be considered.

LALA RAM LAL : The question is whether or not you are prepared to provide grant. How long will it take if it is to be considered?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The information as to what action has been taken will be given in the next session.

94. SARDAR FATEH MOHAMMED KHAN (Haveli Mendhar, Poonch :Muslim) : Is it a fact (*a*) that in connection with the leave arrangement of Babu Bihari Lal, late clerk, Accountant's office and in connection with the leave without pay granted in favour of Babu Nand Lal, and Babu Anand Ram, Camp clerks, Co-operative Societies Department, the appointment of Babu Anirudh Lal, a candidate in Public Works Department has been made?

(*b*) Is this also a fact that in the third session of the Praja Sabha it has been admitted that there is meagre representation of the Muslims in Government service? *Vide* question No. 110 page 73 of Volume III-A Part of Jammu and Kashmir Praja Sabha Debates?

(c) If the answer to the above parts be in the affirmative, it may please be stated why the Muslim rights have been ignored and why a chance has not been given to the educated young Muslims in making appointments to these new posts?

(*d*) Will Government, in view of this improper action and considering the Muslim rights, do justice by appointing Muslim youngmen to these posts?

WAZIR FEROZ CHAND (Wazir Poonch) : (*a*) Temporary appointment of Anirudh Lal has been sanctioned in leave arrangement of Babu Anand Ram of the Co-operative Department. In connection with the leave arrangement of Pandit Behari Lal, Babu Nand Lal was appointed.

(*b*) No

(*c*) The appointments of the above persons in leave arrange-

ments were not at all made at the cost of Mohammedans as some young Muslims were appointed in other Departments.

(*d*) The question does not arise.

SARDAR FATEH MOHAMMED KHAN : The paucity of Muslim employees in Wazarat office and Co-operative Societies Department has been admitted.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : What do you mean by this?

SARDAR FATEH MOHAMMED KHAN : There is noticeable deficiency of Muslim employees in these two departments. How will this be made good?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : All are kept in view.

WAZIR FEROZ CHAND (Wazir Poonch) : He knows that Amritlal was dismissed and a Mohammedan was appointed in his stead. Now we take Mohammedans in service. For instance we have Mohammed Akbar.

95 SULTAN MOHAMMED FEROZ-UD-DIN KHAN : Will the Hon'ble Prime Minister please state whether every person having experience is permitted to adduce facts regarding the prevention of bribery before the Commission?

LALA HAVELI RAM (On behalf of the Hon'ble Prime Minister) : Yes. The point has been made amply clear in the notification issued by the Commission.

96. LALA RAM LAL : (*a*) Is it a fact that Wazir Sahib Poonch sent a telegram to Raja Sahib Bahadur at Lahore in connection with the breaking of the idols that there was an intrigue behind the incident?

(*b*) If the answer to (*a*) be in the negative, it may please be stated whether this intrigue was discovered, if so, what were the facts? If not, what are the reasons?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) No.

(*b*) The question does not arise.

97. SARDAR HARI SINGH : Will Government please state the names of the offices whose Head-quarters have been fixed permanently at Jammu and of those fixed at Srinagar in accordance with Government orders?

Has the order been fully complied with? If not, why? What saving has accrued to the Government by this practice?

LALA HAVELI RAM (On behalf of the Hon'ble Prime Minister) : (*a*) A statement giving the information has been placed on the table of the Praja Sabha.

(*b*) Yes.

(*c*) Does not arise.

(*d*) About Rs. 14,000 annually.

98. SULTAN MOHAMMED FEROZ-UD-DIN KHAN : (*a*) Will the Hon'ble Revenue Minister please state how many times Khan Sahib Ali Gauhar Khan, Wazir Wazarat, Muzaffarabad resident of Mansahra (whose home is a few hours journey from Muzaffarabad) has been posted at Muzaffarabad ever since his coming into service upto the present day?

(*b*) Has he passed the fifth primary class?

(*c*) Wherefrom has he got the wealth whereby he has purchased land and buildings worth lacs of rupees at Mansahra?

(*d*) Wherefrom have the stones and wood been obtained for the construction of these buildings of the said Khan Sahib at Mansahra?

(*e*) Why have Districts Mirpur, Kathua, Ladakh and Gilgit been deprived of his favours?

(*f*) Did not Pandit Bal Kak Dar, late Wazir Wazarat Muzaffarabad submit a report regarding the said Khan Sahib in connection with Kuth when the latter was Tehsildar at Muzaffarabad?

(*g*) Has not Lala Sukh Dial Sahni, Wazir Wazarat Muzaffarabad submitted a report about Government forests in respect of the said Khan Sahib?

(*h*) Did not the Governor, Jammu submit a report regarding the said Khan Sahib at the time when the latter was being transferred to Udhampur and was he not thereupon posted at Muzaffarabad instead of Udhampur?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) Seven times in different capacities ranging from Girdawar to Wazir Wazarat.

(*b*) Yes.

(*c*) Khan Sahib states that he possesses ancestral property yielding sufficient annual income and that this fact is borne out by the Settlement Records of the locality. The statement that he purchased property worth lacs is an exaggerated one.

(*d*) By private arrangement.

(*e*) It is not necessary that the officer should be posted in all the districts during the term of his service. Transfers are generally made in the interest of administration.

(*f*) and (*g*) There are various reports about Raja Ali Gohar Khan pertaining to the time of Pandit Bal Kak and Lala Sukh Dial Sahni. It is not clear which particular reports the Praja Sabha Sad refers to.

(*h*) No.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Orders have been issued about what you want to enquire. Is there any necessity of your asking it now?

NOTE.—The question was withdrawn with permission of the House.

99. SARDAR HARI SINGH : In Sri Ranbirsinghpura School

where about 50 Sikh students are receiving education, there is no Punjabi (Gurmukhi) teacher for their benefit? Are Government prepared to make up this deficiency? If not, why?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : There are only 32 Sikh students in Sri Ranbirsinghpura Middle School. The Director of Education has been asked to report whether a Gurmukhi knowing teacher can be sent to this school.

100. LALA RAM LAL : (*a*) Will the Government please state whether those accused persons who were challaned in the court by the police in connection with the breaking of the idols and setting fire to temples and military stables, have been acquitted by the court?

(*b*) If the reply to (*a*) be in the affirmative, will the Government state as to what measures have been adopted by the Poonch authorities for arresting the real culprits? If no action has been taken in this matter, what are the reasons for that?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) Two were discharged by the Committing Magistrate and the remaining three who were committed were acquitted by the Sessions Judge.

(*b*) The culprits were challaned but the case failed as stated in (*a*) above. Nothing else can be done.

LALA RAM LAL : You have stated that nothing can be done. As if nothing has happened or whether it is an insolence on the part of the Poonch Government?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Now, nothing can be done for this.

LALA RAM LAL : Could not arrest warrants be issued as against the accused persons?

MAJOR GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : The accused are still absconding.

101. SARDAR FATEH MOHAMMED KHAN : Will Government please state as to when did Mr. Anand Ram, Camp clerk, Co-operative Societies Department submit his resignation, and what action has been taken thereon?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : The resignation of Babu Anand Ram was received in the Wazir Poonch's office on 4th Bhadon 1993 and has since been accepted.

SARDAR FATEH MOHAMMED KHAN : Who has been appointed in place of Babu Anand Ram?

WAZIR FEROZ CHAND (Wazir Poonch) : Mr. Mohammed Akbar.

102. SARDAR HARI SINGH : Are Government aware of the fact that there is great paucity of drinking water from Purani Mandi to lower Mohallas especially in Mohalla Dalpatian,

Residency road etc., in Jammu city and that people are not permitted to have a tap in their houses?

If the answer is in the affirmative, what steps have Government taken to remove this trouble?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : Yes. A demand has been made in the next year's budget for the improvement of water supply in lower portion of Jammu city.

103. LALA RAM LAL : (*a*) Will Government please state as to which of the two places Sehra and Dharmsala Mendar is more resorted to by the visitors?

(*b*) If the reply to (*a*) be this that the number of visitors at Sehra is comparatively larger than that at Dharamsala Mendar, it may please be stated as to why, in these days of financial stringency, a Dak Bungalow has been built at Dharmsala Mendar and why it has not been built at Sehra? The reasons for it may be stated in detail?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) There is no record of this. Travellers coming to Poonch from Mirpur-Kotli pass through Sehra but very few stay there for the night.

(*b*) The necessity of a Dak Bungalow at Dharmsala Mendar which is the Tehsil Headquarters was more keenly felt than at Sehra which is only a village on Kotli-Poonch road.

104. PANDIT AMAR NATH KAK (Srinagar City North : Hindu) : Will Hon'ble Home Minister be pleased to state :—

(a) Why the services of Mr. L. Macdermott, *Ex*-Director of Education were dispensed with. Was it done at the request or on the ground of superannuation?

(*b*) Whether the present Director of Education has been retired from service in British India?

(*c*) What are the qualifications of the present Director of Education and what post was he holding in British India?

(*d*) Whether the present Director of Education had applied in the past for any post inferior to the one he holds now in the Education Department. If so, what post had he applied for, who was appointed on that post then, and what were the reasons for not giving him that post at that time?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : (*a*) Mr. Macdermott retired on the ground of superannuation.

(*b*) Yes.

(*c*) He is a B. A ; and was a member of the Indian Educational service. He was Inspector of Schools and officiated as Assistant Director Public Instruction. He was drawing Rs. 1,250 per mensem at the time of retirement.

(*d*) Yes, for the post of Special Inspector for Muslim Education. This post was given to an officer who was already in the State Educational service. It was therefore considered advisable to appoint a local man who could adequately discharge the duties of the post.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : I am sixty years old now and he has come here at the age of fifty seven.

105. LALA RAM LAL : (*a*) Is it a fact that on account of the scarcity of water at Sehra proper the inhabitants of Sehra and particularly the visitors have to face great hardships?

(*b*) If the answer to (*a*) be in the affirmative, are Poonch Government prepared to dig a well at Sehra? If not, the reasons may please be stated in detail?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) There is no water-spring in Sehra proper but one exists near the Customs post Sehra which supplies water to the inhabitants of the place.

(*b*) For the convenience of the public the question of digging up of a well was taken up in hand a few years ago but since no trace of water was found after excavation to a depth of 120 feet the work was given up.

LALA RAM LAL : If it is an admitted fact, will Government then dig out a well or provide some other arrangement at some other place.

MAJOR GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : Hot water springs are nearer to that place.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : It is stated that attempts have been made to dig out a well at Sehra. Will you guarantee that if a well will be dug out there, water can be obtained from it.

106. SARDAR FATEH MOHAMMED KHAN : (*a*) Is it a fact :—

(*i*) That the zamindars of Datwat, Illaqa Prawa Thakyala have constructed a building for the school at their own expenses?

(*ii*) That the zamindars of the Illaqa have by themselves been running the school for the last one year, and that there is regular arrangement for all the five classes of primary education, and that the number of boys is nearly one hundred?

(*iii*) That both Hindus and Muslims requested the Wazir of Poonch to start a Government school there?

(*b*) If the answer to the above parts be in the affirmative, why has not the school been started at Government expenses?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) (*i*) Yes.

(*ii*) No.

(*iii*) Yes.

(*b*) According to rules in force no school is opened within a radius of 4 miles of an existing school and as a Government Primary school exists at Majhan a distance of about 2 miles from Datot the boys of which place can conveniently attend the Majhan school, the administration cannot under rules consider the question of opening a new school at Datot but the matter will, as a special case, receive consideration at the time of the next year's budget.

107. SARDAR HARI SINGH : Are Government aware of the fact that in the Mohallas of Jammu city, there are potter's kilns and in the summer season when these kilns are used for drying the earthen pots the people of the Mohalla are much inconvenienced by stink, heat and smoke and this also is contrary to the principles of public health?

If the answer be in the affirmative, is Jammu Municipality prepared to make such arrangements as will remove this complaint by specifying some suitable place for this purpose in Rehari? If not, why?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI (Finance Minister) : The President has been asked to select a suitable site in consultation with the Governor Jammu for construction of potter's kilns outside the city.

108. LALA RAM LAL : (*a*) Is it a fact that many people in Illaqa Poonch have taken possession of the Khalsa lands and reclaimed them?

(*b*) If the answer to (*a*) be in the affirmative, it may please be stated whether this act is or is not contrary to the law and Ailan No. 17, dated 16th Chet, 1984, published in the Government Gazette dated 19th April, 1928?

If it is against the law it may please be stated as to what preventive measures the Poonch Government have taken in this behalf? If none, why?

(*c*) If the answer to the last part of (*b*) be in the negative, it may please be stated whether the Poonch authorities and Kashmir Government are prepared to take any action against those officers who have connived at in these matters?

If not, what are the reasons therefor?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) Some cases of unauthorised possession of the Khalsa lands have been brought to notice.

(*b*) The Chief Revenue Officer is taking action against such persons under the rules in force in this behalf in the Illaqa. The Ailan referred to in the question is not in force in the Illaqa.

(*c*) The question does not arise.

LALA RAM LAL : I had enquired in part (*c*) of the question whether any action has been taken or the Government are prepared

to take action against those officers who connived at it?

WAZIR FEROZ CHAND (Wazir Poonch) : There is no question of connivance.

LALA RAM LAL : That is to say that that the persons who have helped him.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt .) : Nobody had helped.

MAJOR GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : You can bring some instance.

LALA RAM LAL : I can do this but enquiry should be made.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : What is the necessity of asking this question. You have not produced any certificate for this.

109. SARDAR FATEH MOHAMMED KHAN : (*a*) Will Government please state how many persons, and under what rule, have been exempted from producing the hereditary State-subject certificates?

(*b*) What are the names, the original places of residence and the present occupation of the exempted?

(*c*) If from the answer to (*a*) it is found that non-State-subjects have really been employed without any reasons, have not in this way the right of the deserving people of Poonch been invaded?

(*d*) Will the Poonch Administration protect the people by appointing unemployed youngmen of Poonch in place of these undeserving persons?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) Eight persons under order of Raja Sahib Poonch who is competent to do so under rules.

(*b*) The information asked is given in the following statement :—

Name.	Place of residence.	Appointment.
1. Th. Gajindarsingh ...	Trilokpur.	Sericulture Officer and Officer Shikargah.
2. Th. Rattansingh ...	Do.	Assistant Inspector Customs.
3. M. Krishen Lal ...	Sialkot.	Clerk, Secretary's office.
4. Master Rahim Khan ...	Hissar District.	Musician.
5. B. Des Raj ...	Gurdaspur.	Dentist.
6. M. Iz't Bakhsh ...	Multan.	Teacher X V. J. High School.
7. M. Gainda Mal ...	Dholpur.	Drill Instructor School.
8. B. Harnamsingh (retired) ...	Amritsar.	Draftsman.

(*c*) They have not been appointed off-hand. Of the persons mentioned in the part (*b*) of the question, Thakur Gajindar Singh and Thakur Rattan Singh were appointed because of their relation with Raja Sahib. Babu Krishen Lal was in the service of the Private Department of Raja Sahib for many years and was therefore specially appointed by him in his office. The remaining persons were appointed to posts for which no qualified hereditary State-subjects were available at the time of appointment.

(*d*) In view of (*c*) above, the question does not arise.

SARDAR FATEH MOHAMMED KHAN : He has omitted one line.

SARDAR BUDH SINGH : You should again attentively hear him.

NOTE.—Wazir Feroz Chand read out the reply again.

SARDAR BUDH SINGH : From what fund is the Court Musician of Hissar paid?

WAZIR FEROZ CHAND (Wazir Poonch) : I do not know this.

SARDAR BUDH SINGH : What I mean to ask is whether it is for the private or State Department that this musician gets his pay?

WAZIR FEROZ CHAND : This is a new question.

SARDAR BUDH SINGH : What is the pay and the grade of this post?

WAZIR FEROZ CHAND : I do not know. I will enquire it for your information.

SARDAR FATEH MOHAMMED KHAN : My submission regarding the exemption of these eight persons is whether Raja Sahib as an Illaqadar can exempt anybody from hereditary State-subject?

WAZIR FEROZ CHAND : Yes.

SARDAR FATEH MOHAMMED KHAN : Under what rule?

NOTE.—No reply was given.

110. PANDIT AMAR NATH KAK : (*a*) Has the present Director of Education issued any order prescribing the duties of Arabic and Urdu teachers working in the primary schools?

(*b*) If so, what are those duties?

(*c*) Is it a fact that orders have been issued for teaching Shash Kalmit, Nimaz and Risala Dinyat (Part I) to Muslim students reading in 3rd primary classes, Risala Dinyat and 1st ten Siparas of Al-Quran to Muslim students reading in 4th primary classes and Risala Dinyat, Part II and Al-Quran to the end, to the Muslim students reading in 5th primary classes of the primary and secondary schools?

(*d*) If arrangements have thus been made for imparting religious education to Muslim students, what are the reasons for not making similar arrangements for imparting religious instruction to Hindu students reading in different classes of the primary and secondary schools?

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(*e*) If similar arrangements for teaching Hindu students have been made what course of religious instructions have been prescribed for them?

(*f*) If no arrangement for Hindu students have so far been made, will the Government pass orders for making arrangements for imparting religious instruction to Hindu students also on the same lines?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : The report has been called for from the Director of Education in this connection. On receipt of his report this question will be replied to.

PANDIT AMAR NATH KAK : My submission is that already 65 days' notice was prescribed for questions. Information could not be collected during this period. Can we now expect that the reply will be given in future.

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : Inquiry will be made about this matter.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : It will be noted for reply in this session.

111. SARDAR FATEH MOHAMMED KHAN : (*a*) Is it a fact that it is now a year since the papers regarding the retirement of Lala Phami Dass, Sadar Qanungo were submitted by the Chief Revenue Officer to the Wazir Poonch?

(*b*) If the answer to part (*a*) is in the affirmative, what are the reasons for not taking any action thereon so far?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) and (*b*) A proposal for the retirement of Lala Phami Dass and Moulvi Hafizali, Office Qanungos was submitted by the Chief Revenue Officer nine months ago. They have not attained the superannuation age and therefore they were not retired so far. The matter of their retirement is, however, under consideration of the Wazir of Poonch.

112. SARDAR FATEH MOHAMMED KHAN : (*a*) Will Government please state whether Lala Phami Dass, Sadar Qanungo is a hereditary State-subject?

(*b*) If the answer to part (*a*) be in the negative, how his son Nand Lal has been taken as a hereditary State-subject, and appointed as Patwari? Reasons therefor may please be stated?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) Lala Phami Dass has not obtained hereditary State-subject certificate.

(*b*) Nand Lal son of Lala Phami Dass has been temporarily appointed as Patwari by the Chief Revenue Officer on score of hereditary State-subject certificate possessed by him. His certificate has been challenged and the question of his retention or otherwise in service will be automatically decided on the decision of

his State-subject certificate case.

113. PANDIT AMAR NATH KAK : Will Hon'ble Home Minister be pleased to state :—

(*a*) What was the total number of teachers for primary and secondary appointed on permanent posts during the years 1990-91, 1991-92 and 1992-93?

(*b*) How many of them were Hindus, how many Sikhs, how many Buddhists and how many Muslims?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : The information is being collected and will be supplied to the member later.

PANDIT AMAR NATH KAK : Can I get a copy of this.

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : It will be supplied to you.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : A copy will be supplied to him.

114. PANDIT AMAR NATH KAK : Will Hon'ble Home Minister be pleased to state :—

(*a*) How many constables, Head constables, Assistant Sub-Inspectors and Sub-Inspectors were newly appointed in the years 1990-91, 1991-92 and 1992-93?

(*b*) How many of them were Muslims, how many Sikhs and how many Hindus?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : The following statement will show the number of Sub-Inspectors, Assistant Sub-Inspectors, Head constables and Foot constables appointed newly in the years 1990-91, 1991-92 and 1992-93 together with their composition by communities :—

		Muslims.	Hindus.	Sikhs.	Others.
1990-91.					
Sub-Inspectors	...	.....	.....	.....	.....
Assistant Sub-Inspectors		.....	1	.....	.....
Head Constables	...	1	.....	.....	.....
Foot Constables	...	47	29	8	1
Total	...	48	30	8	1
1991-92.					
Sub-Inspectors	...	.....	.....	.....	.....
Assistant Sub-Inspectors		.....	.....	.....	.....
Head Constables	...	1	.....	.....	.....
Constables	...	54	45	7	1
Total	...	55	45	7	1
1992-93.					
Sub-Inspectors	...	.....	.....	.....	.....
Assistant Sub-Inspectors		2	1	1	.....

1992-93.		Muslims.	Hindus.	Sikhs.	Others.
Head Constables	...	4	.....	.....	.....
Foot Constables	...	40	47	12	2
To al	...	46	48	13	2

PANDIT AMAR NATH KAK : Whether under the head 'Constables 1991-92' the number of the Hindus is 25 or 45?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) :

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) :

PANDIT AMAR NATH KAK : In Urdu it is 25.

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : In English it is 45.

PANDIT JIA LAL KILAM (Srinagar City South :Hindu) : (Under head Constables 1992-93) There is again difference. Is it 27 or 47?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : 47.

115. MIAN AHMED YAR : Will Government please state :—

(*a*) How many appointments of Revenue Assistants have been made since the beginning of the year 1931 upto July 1936?

(*b*) How many Muslims and how many non-Muslims have been appointed on these posts?

(*c*) If some Muslims have been appointed, how many of them have been appointed permanently and how many temporarily?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) 19.

(*b*) 8 Muslims and 11 non-Muslims.

(*c*) One Muslim temporarily and the rest permanently or S. P. T.

MIAN AHMED YAR : At present how many permanent and how many temporary Muslim Revenue Assistants are there?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Revenue Assistants have been made since the beginning of 1931. How can he carry this in his head.

MIAN AHMED YAR : Any member can ask supplementary questions. In Indian Assemblies so many supplementary questions are asked but they are replied at once.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : He will give the information.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : He wants it just now.

MR. PRESIDENT(The Hon'ble Sir Barjor Dalal Kt.) : The information will be supplied in this session.

SARDAR KANHAYA SINGH (West Kashmir :Sikh) : I want to

enquire in this connection whether there is any Sikh amongst the non Muslims?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The question does not arise.

PANDIT AMAR NATH KAK : Will the Hon'ble Home Minister be pleased to state whether for the departments under his control any orders or instructions have been issued for recruitment from any particular community in a particular proportion? If so, what are the instruction or orders?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : No such orders or instructions have been issued by me.

117. MIAN AHMED YAR : What was the number of Muslim and non-Muslim Wazirs Wazarat, Revenue Tehsildars, Revenue Naib-Tehsildars, Settlement Tehsildars, Settle Naib-Tehsildars, Saddar Qanungos, Girdawars, Patwaris, Sajrakashes and Munsarims at the time when Hon'ble Sheikh Maqbul Hussain was Revenue Minister and what is their number now?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) :

Designation of officer.	Strength of Muslims and non-Muslims at the time of K. B. Sheikh Maqbul Hussain.		Present strength.	
	Muslims.	Non-Muslims	Muslims.	Non-Muslims.
Wazirs-Wazarat ...	2	6	3	7
Tehsildars ...	7	20	8	24
Naib-Tehsildars ...	9	24	9	28
Sadar Qanungos ...	2	5	2	7
Girdawars ...	9	75	33	75
Patwaris ...	150	849	275	917
Sepplement epartment.				
Tehsildars ...	2	7	The Settlement Department does not exist now.	
Naib-Tehsildars including Demarcation Naib-Tehsildars ...	7	38	.....	.....
Munsarims ...	30	99	.....	.....
Sajrakashes ..	2	304	.....	

As regards figures for Muzaffarabad Wazarat at the time of Khan Bahadur Sheikh Maqbul Hussain the information is not available as the records were destroyed in the fire of Sambat 1986.

The figures pertaining to the time of Khan Bahadur Sheikh Maqbul Hussain for the Frontier Districts are awaited. The requisite information will be supplied as soon as received.

MIAN AHMED YAR : If the records of Muzaffarabad have been burnt, is not this records available through any other source? This records can be obtained from the Governor's office?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : (Addressing the Hon'ble Revenue Minister) : Can this records be obtained?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : If some records will be available from the Governor's office it will be enquired into and efforts will be made to supply this.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : All right. It will be enquired.

118. PANDIT AMAR NATH KAK : Will Hon'ble Home Minister be pleased to state :—

(*a*) Whether it is a fact that promotions to Police officers in all ranks and grades are governed by special rules sanctioned by His Highness the Maharaja Bahadur and that the criterion for promotion laid down in those rules is merit and seniority?

(*b*) If the answer be in the affirmative, have any deviations from these rules been made during the last three years, if so, when and in what cases?

(*c*) Have communal considerations been taken into account in preparation of promotion lists known as lists (*a, b, c, d, e,* and *f*)?

(*d*) If deviations have been made from these rules, will Government take steps for redressing the wrong done to the deserving persons in this manner, at an early date?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : It is a fact that promotions in the Police Department are governed by special rules sanctioned by His Highness the Maharaja Bahadur. The criterion for promotion laid down in those rules is seniority tampered by selection.

(*b*) No intentional deviations from these rules have been made. Any deviations which have come to notice have been rectified.

(*c*) Communal considerations are taken into account when preparing promotion lists in so far as these considerations do not interfere with the criterion laid down for promotion.

(*d*) Does not arise.

PANDIT AMAR NATH KAK : I have not received the reply of Q. D. No. 116.

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) :

The reply to this has been given.

119. KHAWAJA ALI MOHAMMED (Fateh Kadal, Tenkipura, Srinagar City :Muslim) : (*a*) Will the Hon'ble Revenue Minister please state the number of Tehsildars, Naib-Tehsildars, Revenue Assistants and Wazirs Wazarat in Jammu and Kashmir State? How many of them are Muslims and how many non-Muslims?

If the number of Muslims be less, will the Government in view of safeguarding the Muslim interests take steps to increase the Muslim representation? If not, why?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) :

Wazirs	...	9	
Revenue Assistants	...	7	
Tehsildars	...	32	including two Seasonal Tehsildars.
Naib-Tehsildars	...	37	

		Muslims.	Non-Muslims.	
Wazirs	...	3	6	
Revenue Assistants	...	2*	4	*Excluding Raja Sarwar Khan deputed to Poonch at present. One post vacant.
Tehsildars	...	8	24	
Naib-Tehsildars	...	9	28	

To make up deficiency in Muslim strength a good number of Muslims has been trained for employment in the Revenue Department and they are already being absorbed on occurrence of vacancies.

MIAN AHMED YAR : How many are permanent and how many temporary Revenue Assistants of those three who have been appointed?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : It will be replied when a separate question is asked.

120. MIAN AHMED YAR : (*a*) Is it a fact that upto the time of Sheikh Maqbul Hussain, the late Revenue Minister, the office of the Revenue Minister used to be held by a Muslim and a non-Muslim alternately?

(*b*) Since how long has no Muslim been appointed as Revenue Minister and why?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) No such orders or convention existed.

(*b*) Since the retirement of Choudhari Khushi Mohammed. Appointments are not made by the Prime Minister or the Council according to section 5 of Regulation No. 1 so the rest of the question is not answered.

MIAN AHMED YAR : It is how many years now since the re-

tirement of Choudhari Khushi Mohammed?

LALA HAVELI RAM (On behalf of the Hon'ble Prime Minister) : He has asked upto the time of Hon'ble Sheikh Maqbul Hussain.

MIAN AHMED YAR : I asked since how long? This was the practice upto the time of Sheikh Maqbul Hussain. That was a practice. I enquired about "used to be held"?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You have not enquired as to when was Sheikh Maqbool Hussain retired.

MAJOR GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : He was retired in the year 1974.

MIAN AHMED YAR : It has been stated in reply that no order or convention existed.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : There is no practice of keeping one Muslim and Hindu alternately.

121. KHAWAJA ALI MOHAMMED : (*a*) Will the Hon'ble Revenue Minister please state the number of Gazetted and non-gazetted establishment of Forest Department along with Rangers, Foresters, Guards and clerks? How many of them are Muslims and how many non-Muslims?

(*b*) If the number of Muslim employees is less, are Government prepared to increase the number of Muslim employees there? If so, when, and if not, why?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) :

		Muslims	Non-Muslims.
(*a*) Gazetted and non-gazetted.	Rangers ...	21	69
	Foresters ...	50	147
	Clerks ...	5	100
	Gazetted ...	7	28

(*b*) Government is already taking steps to increase the numerical strength of Muslims.

122. MIAN AHMED YAR : Will Government please state :—

(*a*) What is the number of Muslim and non-Muslim Ministers in the State?

(*b*) What proportion have the Government intended to grant to Muslims in service?

(c) Have any instructions been issued so far to give effect to this proportion? If so, the House may please be informed of these accordingly?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) There are 2 Muslim Ministers in the State as against 2 Hindus. One Parsi and one European.

(*b*) The Government is not prepared to fix any proportion for

any community. The attention of the member is further drawn to the answer to Q D. No. 92 (Serial No. 17) dated 16th March, 1936.

(*c*) Does not arise.

123. MIAN AHMED YAR : Will Government please state what was the number of Muslims and non-Muslims in the gazetted and non-gazetted grades in the Revenue Minister's office at the time when Hon'ble Sheikh Maqbul Hussain was Revenue Minister and what is their number now?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : At the time of Khan Bahadur Sheikh Maqbul Hussain in 1974 :—

	Muslims	Non-Muslims.
Gazetted ...	1	1
Non-gazetted ...	20	29
Present strength (Excluding Development section, as it was not included in the Revenue portfolio at the time of K. B Sheikh Maqbul Hussain).		
Gazetted ...	1	nil (one post is vacant).
Non-gazetted ...	12	21

124. MIAN AHMED YAR : Will the Hon'ble Revenue Minister please state :—

(*a*) How many applications for the grant of waste land for cultivation from forest areas have been submitted during the last five years to the Divisional Forest Officers of District Muzaffarabad (including the Divisional Forest Officer incharge of Forests in Tehsil Uri *i. e.* the Divisional Forest Officer Baramulla)?

(*b*) To whom, where and on what terms land has been granted on these applications?

(*c*) Which of the applicants have not been granted land and why?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*),(*b*) and (*c*) The Divisional Forest Officer, Jhelum Valley Division reports that no application for the grant of waste land for cultivation has been received by him. About six applications were received for grant of wast land in Muzaffarabad but no land has been granted because no land can be alienated from the demarcated forests.

MIAN AHMED YAR : Is there no restriction on the grant of any area from the forests that have not been demarcated?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : I understand that applications were made for the particular ones where land

could not be given.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : From out of the demarcated forests.

125. *Information promised in reply to the question S. No.* 301 (*Q. D. No.* 410) *asked on the* 23*rd March* 1936 *by* :

MIAN QURBAN AHMED : Will the Hon'ble Home Minister please state how many posts of teachers fell vacant in Kathua District during the last two years? How many were filled by Muslim zamindars and how many out of them were the inhabitants of Kathua District?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : 12 posts of teachers fell vacant during the last two years. 3 Muslims (2 Urdu teachers and one Drawing Master) were appointed. Of these one was zamindar but not of Kathua District.

The Assistant Inspector of Schools, Kathua Division, reports that he has appointed six Muslims in temporary vacancies and that all of them are zamindars of Kathua District.

126. *Information promised in reply to the question S. No* 61 (*Q. D. No.* 345) *asked on the* 16*th March,* 1936 *by* :

MIRZA M. A. BEG (Anantnag :Muslim) : Will Government make the road leading from Bijbehara to Pahalgam through Illaqa Dachan Parsi a fair-weather road fit for wheeled traffic upto Pahalgam?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : A fair-weather road already exists. Possible improvements are effected annually.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Resolution No. 1

Greater reduction as you go up :

NOTE.—The Assistant Secretary then read out the following resolution of Mr. M. A. Beg :—

"This Praja Sabha recommends to the Council that the pays of the officers drawing Rs. 500 or more per mensem be reduced by 50 per cent."

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : (To the Assistant Secretary) Read out the amendment of Mr. Kak.

NOTE.—The Assistant Secretary read out the following amendment:—

1. Omit at the end of the last line the words "by 50 per cent" and substitute the following words for them : "in such a manner as a reasonable proportion be set up between the highest and lowest paid servants of different departmen's."
2. Add the following sentence at the end : "The ratio of reduction should rise with the rise of pay."

MR. M. A. BEG (Anantnag :Muslim) : Sir, it seems that my resolution has created great interest amongst members of this House and it is likely that other members will also express their views about this resolution. Therefore I would place before the House the real object of this resolution.

I have proposed that the pays of all those officers who are drawing Rs. 500 or more per mensem should be reduced by 50 per

cent. We have to see as to what circumstances have prompted the bringing of this resolution and what are the reasons which necessitated the moving of this resolution before the House. The reasons are that the experience which we have gained for the last three years in this House and which we have acquired from without demands that in view of the financial condition of the State, 50 per cent. reduction should be made in the salaries.

The works of public utility which must be taken in hand by the Government are not being taken up on account of financial stringency, and on every such demand the plea of 'financial stringency' is raised. How did this financial difficulty arise? The chief cause of it is that the expenditure exceeds the income and the same is the case here also. We have always to lay stress on this point in the House and we have always made a demand that big salaries should be reduced, but we regret to say that we have not yet been able to succeed in this object; but I hope that today, by the grace of God, my resolution is sure to succeed. Not long before this a much smaller sum used to be spent on salaries. The Ministers were drawing either Rs. 1,200 or Rs. 1,500 per mensem and there used to be only two or three Ministers. Now by the grace of God, their salaries have gone up to Rs. 3,000 and Rs. 5,000 per mensem, and if the present state of affairs continues, in a short time, their number may go up to seven, eight or even more than that; and it is possible that there may be as many Ministers as there are peons.

As regards taxation, we have to see that we properly discharge our duty for which the tax-payers have sent us over here. It is our paramount duty to prevent the causes of taxation so that the question of the imposition of more taxes on the poor people may not be raised. We wish that the income of the State may be increased and that can be done by making a reduction in the high salaries. These days, we request the Government to open schools, to construct roads and to open hospitals at such and such places, but the officers in reply to these requests say that it cannot be done on account of financial stringency. It is to be regretted that when such important demands are made, the plea of financial stringency is always raised and the works of public utility are ignored. Our deceased friend (Choudhari Chatter Singh—Alas! he is not amongst us today) placed before you the miserable condition of the poor people of the Kandi Illaqa.

LALA HANS RAJ : He is sitting here fully prepared. Prolonged cheers)

MR. M. A. BEG : I hope he will also discharge his duty enthusiastically and honestly.

LALA SHIV NATH NANDA : Now you cannot call him 'deceased'.

MR. M. A. BEG : I remember, how honestly and bravely he sided with and supported us at the time when the Criminal Law Amendment Bill was introduced, inspite of the fact that his interests were at stake. I hope his successor will also be with us in supporting this resolution and will prove true to what he has stated here just now. My deceased friend, while describing the condition of the people of Illaqa Kandi, stated that he had seen with his own eyes that the drinking water which is available to those people is mixed with the urine of the animals. (Shame, shame)

My friend Akbar Dar stated that worms were to be found in the water ; but they have no remedy for that. It is to be regretted that no heed is paid to all this but on the other hand we find that the pays of the Ministers and other high officers are raised every now and then.

Once I enquired from the Hon'ble Home Minister as to what was the annual grant of a particular hospital and he told me that Rs. 700 were provided for. But because this amount includes expenses of bandages, apparatus and food etc. for two or three lakhs of people, the result is that at such places the doctors give water to the people in place of medicines. Whenever we say that there is no school at such and such a place and that a school should be opened there, no heed is paid to it. A High school was required at a particular place, but the Government paid no heed at all and no effort was made to educate those people. When the people themselves started a private school there, even grant-in-aid was not given by the Government for about ten or twelve years inspite of the fact that 15 or 20 thousands of rupees are given to other schools annually as grant-in-aid. Afterwards, Rs. 2,500 were given to this school and it was remarked that as there was financial stringency therefore this sum would suffice for the school and that more money could not be given. It may be admitted that there are financial difficulties. But then they must affect all equally and the financial difficulties. should be taken into consideration even at the time of fixing salaries. The condition of our trade is going from bad to worse every day, and our means of communication too are extremely bad. Accordingly the State Co-operative Inquiry Committee had, in their recommendations, demanded that if it is required to make the zamindar prosperous and improve his condition, then a sum of Rs. 25,000 be set apart for rural reconstruction work, but inspite of the fact that two years have elapsed this amount has not yet been given by the Government. A greater part of the income of our State is being spent on the pays of the officers drawing Rs. 500 or more per mensem. It is a great misfortune for the non-official members of this House that the privilege of making the concluding speech is always granted to the Government and no one else has a right to give a rejoinder to that. When any such matter is under

mergarh which is 20 kanals and 7 marlas in area to be broken up for cultivation and consequently its area has dwindled down to 13 kanals 7 marlas and that it has led to an excitement among the Muslims?

(*b*) If the answer to the above be in the affirmative, will Government please institute an inquiry into the matter and take steps to prevent the Hindu-Muslim tension which also involves the Government in trouble?

(*c*) If the answer to (*a*) above be in the affirmative, what are the reasons for doing so?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) No.

(*b*) The local Tehsildar has been asked by the Wazir Wazarat to make an inquiry. Anyone found to have encroached upon the graveyard area will be ejected and properly dealt with.

72 MIAN QURBAN AHMED : (*a*) Will the Government please state whether Munshi Allah Ditta, Municipal Commissioner Kathua, made a statement before the Sub-Judge Kathua that they boycotted him?

(*b*) If the answer to (*a*) be in the affirmative, will Government please state what action was taken on it?

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM (On behalf of the Hon'ble Judicial Minister) : (*a*) No.

(*b*) Does not arise.

73. MOULVI MOHAMMAD ABDULLA : (*a*) Is it a fact that in order to stop the improper activities of the purchasers of land the system of issuing certificates of being agriculturists was discontinued and it was ordered that a list of agriculturists be prepared again?

(*b*) If the answer to (*a*) be in the affirmative, is it a fact that now revising the said order, recourse has again been had to certificates?

(*c*) If the answer to (*b*) be in the affirmative, is it a fact that issuing of certifiicates on inadequate grounds is a common thing in the State?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) No. What was done was that instructions were issued by the Governor Kashmir (since withdrawn) that in issuing certificate of agriculturist, certain matters should be taken into consideration to safeguard the interests of bonafide agriculturists and to prevent malafides acquiring land against the spirit and intention of the Alienation of Land Regulation. This has been fully explained in reply to Q. D. No. 431 of the last session.

(*b*) and (*c*) Do not arise. The provisions of Land Alienation Regulation are now being followed rigidly.

MOULVI MOHAMMAD ABDULLA : Can you tell us about those particulars.

range. The figures pertaining to the pine men Kahan Bahadar Sheikh Mughal Hussain are only the Secretaries Dishricts are awaited. The requisite information will be supplied as soon as received.

MIAN AHMED YAR : If the records of Muzaffarabad have been burnt, then how can they be obtained from the Governor's office?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : Of what year?

PANDIT PRAMNATH DOBEY : Sir, I only want to know whether the records be obtained?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : Of course, if the records will be available here Governor's office, it will be attempted. Now I will take Police. In that State, Rs. 7,00,000 are spent on Police while in this State Rs. 1,00,000 are spent on Police.

MR. PRESIDENT (The Hon'ble Sir Balior Dalal Kt.) : All right. Your suggestions take place and hence more police is required.

PANDIT AMAR NATH KAK : Will Hon'ble Home Minister be pleased to state whether it is a fact that promotions to Police officers in our State are decided by selection and not by seniority?

MAJOR GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : This is a fact. (Laughter)

PANDIT RAM CHANDRA DOGRA : Now we take the case of Industries. In our State the post of Director of Industries is being sanctioned at Rs. 1,000 while in that State the Director is paid from Rs. 3,000 to Rs. 4,000 per mensem. In that State only are spent from these Chief Engineer there are two Chief Engineers drawing from Rs. 1,500 to Rs. 2,000 per mensem while in our State there is only one Chief Engineer drawing Rs. 1,500 per mensem. In that State the Divisional Engineer is paid up to Rs. 1,500 per mensem while the Director of Public Health is paid Rs. 2,500 per mensem while the Public Health Engineer is paid Rs. 1,500 per mensem. In that State the Director of Education is paid from Rs. 2,500 to Rs. 3,000 per mensem while in our State the Director is paid Rs. 1,500 per mensem. In that State the Director of Public Health is paid from Rs. 2,500 to Rs. 3,000 per mensem while in our State the Director

The reply to this has been given earlier. (Khawaja Ali Mohammed (Fateh Kadal Tenkipura Srinagar City Muslim) (a) Will the Hon'ble Revenue Minister please state the number of Tehsildars Naib-Tehsildars Revenue Assistants and Wazirs Wazarat in Jammu and Kashmir State? How many of them are Muslims and how many non-Muslims? There is not a single Judge whose pay is more than Rs. 900 per mensem, while in our State each Judge of the High Court is paid Rs. 1,800 per mensem. There is one Accountant who is getting from Rs. 500 to Rs. 700 per mensem while the Accountant General in our State is paid from Rs. 1,200 to Rs. 1,500 per mensem. In that State there is only one Conservator of Forests whose pay is from Rs. 500 to Rs. 700 per mensem while in our State the Chief Conservator of Forests is drawing Rs. 2,000 per mensem, and besides this there are two Assistant Conservators of Forests each of whom is paid Rs. 1,100 per mensem. In that State the Excise Commissioners draw from Rs. 500 to Rs. 700 per mensem, while in our State the Inspector General Customs is paid from Rs. 1,200 to Rs. 1,500 per mensem. There is only one Commissioner for Land Revenue and Income Tax getting Rs. 700 to Rs. 900 per mensem while here different officers discharge these duties and the Inspectors are paid upto Rs. 500 per mensem each. In that State there are two Directors of Sericulture. The Director of Sericulture Kashmir Province draws Rs. 800 per mensem and the Director of Jammu Province is paid Rs. 600 per mensem; but it is heard that now his pay too has been raised from Rs. 500 to Rs. 800 per mensem because there was some question of seniority which might be known to the Minister concerned and for this reason the pays of both have been equalized. Such is our condition. Under such circumstances the House will unanimously agree to the point that such high salaries are extremely harmful to and burdensome for the poor people and therefore they should be reduced as soon as possible. I would make an appeal to the House that the salaries should be modified as soon as possible. With these words I strongly support the resolution on behalf of my party.

	Non-Muslim	Muslims
Wazirs	3	6
Revenue Assistants	2*	4
Tehsildars	8	24
Naib-Tehsildars	9	28

*Excluding Raja Sarwar Khan deputed to Poonch at present. One post vacant.

To make up deficiency in Muslim strength a good number of Muslims has been trained for employment in the Revenue Department and they are already being absorbed on occurrence of vacancies.

Mian Ahmed Yar : How many are permanent and how many temporary Revenue Assistants of those three who have been appointed?

The Hon'ble Rai Bahadur Pandit Anant Ram (Revenue Minister) : It will be replied when a separate question is asked.

Mian Ahmed Yar : (a) Is it a fact that upto the time of Sheikh Maqbul Hussain the late Revenue Minister, the office of the Revenue Minister used to be held by a Muslim and a non-Muslim alternately?

(b) Since how long has no Muslim been appointed as Revenue Minister and why?

The Hon'ble Rai Bahadur Pandit Anant Ram (Revenue Minister) : (a) No such orders or convention existed.

(b) Since the retirement of Choudhari Khushi Mohammed. Appointments are not made by the Prime Minister or the Council according to section 5 of Regulation No. 1 so the rest of the question is not answered.

Mian Ahmed Yar : It is how many years now since the retirement of Choudhari Khushi Mohammed?

Sardar Budh Singh : We are compelled to put before the House a resolution which according to the Government is very unpleasant duty to discharge. It may be unpleasant to the Government but it is a very important resolution for us. Very shortly the Budget will be placed on our tables and we will be asked to give our opinion on it within fifteen minutes and to accept the Budget which has been prepared in about six months or a year's time. Any Government can be considered praiseworthy only when its means of income are just and rightful and are enduring and permanent : and its expenditure well-deserved and reasonable and copiously allotted for on public benefits and utilities. But if, on the other hand, there is

City :Muslim) : (*a*) Is it a fact that in the Kashmir valley no amount is charged as *Malikana* over and above the land-revenue and that 30 per cent. of the gross produce is charged as the share of the Government as has been stated in reply to my question Q. D. No. 162 (Serial No. 509) asked on 30th March 1936.

(*b*) If the answer to (*a*) be in the affirmative, are Government prepared to fix the land-revenue at 25 per cent. of the gross produce?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) *1st part.*—Yes.

2nd part.—As intimated in reply to first part of Q. D. No. 162 of March-April 1936 session, actually the assessments have been fixed at varying rates lower than thirty per cent.

(*b*) The incidence of assessment in the Kashmir valley is not unfavourable to the zamindars and does not therefore warrant revision and this cannot be done before the expiry of term of Settlement. In this connection the member Praja Sabha is referred to Chapter V part (3) of the Glancy Commission Report, relative portion from which reads as follows :—

> "If the Kashmir valley were equitably re-assessed at the present time, the assessment would show a material increase".

MOULVI MOHAMMAD ABDULLA : My question is whether in Kashmir 30 per cent. of gross produce is realised towards land-revenue. I want a reply to this in "yes" or "no".

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You have asked whether the Government are prepared to fix it at 25 per cent. You have been given a reply to this.

MOULVI MOHAMMAD ABDULLA : I want a reply in "yes" or "no" to the first part of my question.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : It has been replied in 'yes'.

MOULVI MOHAMMAD ABDULLA : On what principle is this based?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You can bring a resolution for this. You have been given a reply to this.

MOULVI MOHAMMAD ABDULLA : There is no such reply on my table.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Next question! Mian Qurban Ahmed!

MOULVI MOHAMMAD ABDULLA : Sir, is this all the reply to my question?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You will not get it.

71. MIAN QURBAN AHMED : (*a*) Is it a fact that the Wazir Kathua verbally ordered the graveyard Mauza Mawa, Tehsil Jas-

mative, will the Hon'ble Revenue Minister please state as to what reply was given to this deputation and whether it is not based upon injustice to deprive them of their long standing rights?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : *1st part.*—Yes.

2nd part.—The Poonch Administration can better judge of the local conditions and they were of opinion that as the majority of persons whose claims the deputation represented did not depend upon agriculture or occupations subservient to it as the chief source of livelihood, they could not be included in the list of agriculturists. It was, however, emphasised that no class fulfilling the above-mentioned criterion should be excluded from the list of agricultural classes. Further, it is always open to a class to satisfy the Illaqa administration by quoting facts and figures that the main source of their livelihood is agriculture and unless they can do it, their claim cannot be entertained.

SARDAR KANHAYA SINGH (West-Kashmir :Sikh) : Do a majority of Sikh population of Poonch live chiefly on agriculture or not? If it is a fact what objection is there in declaring them as agriculturists?

(VOICES FROM POONCH MEMBERS' BENCHES) : Sikhs in Poonch are already declared as agriculturists.

82. MOULVI MOHAMMED ABDULLA : (*a*) Is it a fact that the village Sair of Tehsil Baramulla is a Jagir of some Jagirdar.

(*b*) If the answer to (*a*) be in the affirmative, is it a fact that village Mazabug of Tehsil Baramulla is separate from village Sair and has no connection with the Jagir of village Sair?

(*c*) If the answer to (*b*) be in the affirmative, is it a fact that the Jagirdar of Jagir Sair is appropriating to his own use the whole or a part of the grazing fee from the village Mazabug considering it to be part of his Jagir?

(*d*) If the answer to (*c*) be in the affirmative, it may please be stated under what rule or order the Jagirdar is realising this amount?

(*e*) If the answer to (*d*) be that the grazing area of Mazabug is included in the village Sair, then it may please be stated whether originally the Jagir comprised the whole or a part of the village Sair? If the whole of this village constituted the Jagir, since how long and under what order has it been declared so?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) Yes.

(*b*) Yes.

(*c*) Yes, of a part of the Mazabug one 'patti' of which adjoins Sair village.

(*d*) and (*e*) The question of propriety or otherwise of the collection of the grazing dues in question is separately under consideration, final orders on which will be passed in due

could not be given.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister): From out of the demarcated forests

Information promised in reply to the question S. No. 301 (Q. No. 410) asked on the 23rd March 1936 by Maulvi Qurban Ahmed.

Will the Hon'ble Home Minister please state how many posts of teachers fell vacant in Kathua District during the last two years? How many were filled by Muslim zamindars and how many out of them were the inhabitants of Kathua District?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister): 12 posts of teachers fell vacant during the last two years. Of these one was zamindar but not of Kathua District. The Assistant Inspector of Schools, Kathua Division reports that he has appointed six Muslims in temporary vacancies and that all of them are zamindars of Kathua District.

Information promised in reply to the question S. No. 161 (Q. No. 345) asked on the 16th March 1936 by Mirza M. A. Beg (Anantnag: Muslim).

Will Government make the road leading from Bijbehara to Pahalgam through Illaqa Dachan Parsi a fair-weather road fit for wheeled traffic upto Pahalgam?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister): A fair-weather road already exists. Possible improvements are effected annually.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal, Kt.): Resolution No. I.

Greater reduction as you go up

NOTE.—The Assistant Secretary then read out the following resolution of Mir. Mir. Beg:—

This Praja Sabha recommends to Council that the pays of the officers drawing Rs. 500 or more per mensem should be reduced by 50 per cent.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal, Kt.): (To the Assistant Secretary) Read out the amendment of Mr. Kak.

Omit at the end of the last line the words "by 50 per cent" and substitute the following words for them: "in such a manner as a reasonable proportion be between the highest and the lowest paid officials."

cent. We have to see as to what circumstances have prompted the bringing of this resolution and what are the reasons which necessitated the moving of this resolution before the House. The reasons are that the experience which we have gained for the last three years in this House and which we have acquired from without demands that in view of the financial condition of the State, 50 per cent reduction should be made in the salaries.

The works of public utility which must be taken in hand by the Government are not being taken up on account of financial stringency, and, on every such demand the plea of financial stringency is raised. How did this financial difficulty arise? The chief cause of it is that the expenditure exceeds the income and the same is the case here also. We have always to lay stress on this point that we already base and we have always made a demand that big salaries should be reduced, but it is all a hoax otherwise while not yet been able to succeed in this object, but I hope that today, by the grace of God, my resolution is sure to succeed. Not long before this amount is distributed by the officers amongst themselves in the shape of salaries and allowances. For instance, in the Ministers' case either Rs. 1,200 or Rs. 1,500 per mensem and there used to be only two or three Ministers. Now by the grace of God, their salaries have gone up to Rs. 3,000 and Rs. 2,500 per mensem which if I have spoken all the rest is embezzled by the officers of their Government. Their number may go up to seven, eight or even more than that. Minister is possible that there may be as many Ministers as there are people.

As regards taxation, we have to see that we properly discharge our duty for which the tax-payers have sent us over here. It is important that we should prevent the causes of taxation so that the question of the imposition of more taxes on the poor people may not be raised. We wish that the income of the State may be increased and that can be done by making a reduction in the high salaries. What I desire, we request the Government to open schools, to construct roads and to open hospitals in such and such places, but the officers highly paid to these Ministers say that it cannot be done on account of financial stringency. The life is to be begotten that when such important demands are made, the plea of financial stringency is always raised and the work is the public utility is ignored. In short a dead body (Government Servants) is placed before you the miserable condition of the poor people of the Kandy Illaqa. all a fraud, a false-play, a mere illusion. Whenever we request for the sicting of expenses and more grant for these works we get the same set reply that there are no funds; there are financial difficulties but he will also discharge his duty enthusiastically and honestly reducing the inordinately huge salaries. Standing Committees have been appointed and from them too the learned question is asked, what heads of expenditure may be re-

been found in the roads so repaired. A more expensive treatment of roads is necessary in order to make them completely anti-dusty.

MAJOR GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : There has never been any rain after the month of Har. How is it then that the water overflowed the roads?

LALA SHIV NATH NANDA : Has the Hon'ble Home Minister ever come out of his car and inspected any road?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : Often I have been there on foot and inspected the roads.

79. MOULVI MOHAMMED ABDULLA : (*a*) Did the Government state in reply to the question 69 of the last Srinagar session that the question of repairing the list of agricultural classes of Kashmir Province was under consideration? (*Vide* (*c*) (*ii*) on page 51 of Jammu and Kashmir Praja Sabha Debates).

(*b*) If the answer to (*a*) be in the affirmative, will the Government please state whether the said list has been prepared and what has been the criterion in determining agricultural classes?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) Yes.

(*b*) Yes, the list has been prepared but is pending for discussion in a meeting of officers set up to scrutinise it. The criterion is the basic principle underlying the enactment of the Alienation of Land Regulation, *viz.*, classes, majority of whose members depend upon agriculture as the chief source of their livelihood and earning, are to be treated as agricultural classes.

MIAN AHMED YAR (Muzaffarabad :Muslim) : When will this auditing come to an end? When can this matter be decided?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : It will be finished soon.

MIAN AHMED YAR : Some period should be specified to show that it will be soon finished.

80. CHOUDHARI ABDUL KARIM : Is it a fact that in some previous session of the Praja Sabha it was stated in reply to a question that the question of establishing a Sessions Judge's court at Mirpur is under the consideration of the Government? Has some further consideration been given to it; if so, when can we expect that a Session's Judge court be established at Mirpur?

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM (On behalf of the Hon'ble Judicial Minister) : The question is still under consideration.

81. LALA SHIV NATH NANDA : Is it a fact that a deputation of the Hindus and Sikhs of Illaqa Poonch waited and complained that those Sikhs and Hindus who have been declared to be agriculturists for thousands of years, are being deprived of their agriculturists' rights under a new scheme? If the reply be in the affir-

from the example of the present one. But we want to see whether the Government accepts the present resolution and considers it in a just and sympathetic manner or in the event of its being rejected we shall have to decide whether in such a helpless state our continuance in the House is at all necessary.

Once the Hon'ble Prime Minister enquired from different Associations, Societies, Sabhas and some select prominent men as to how the economic condition of the State can be improved. I said in a speech or perhaps in an article and I still hold that it is all ridiculous to expect any economic improvement at the hands of a European. Had our economic state been better that of Europe would have been worse and our condition is worse because theirs is better. These two are inverse things : the rise of one means the fall of the other. When our indigenous goods have no value and our home industries are not at all protected against foreign competition, and our industry, trade and hand-crafts are all in a neglect ; when foreign goods worth lakhs of rupees are pouring in and money is daily being drained by the lakhs, how then can the economic condition of our country be any better. Unless the local manufactures are given a preference over outside produce and are protected, unless the trade and industries are encouraged and the mines are exploited there cannot be any betterment in the economic condition of the country, nor can there be any permanent sources of income to the State.

This sum of rupees two crores, forty-seven lakhs and five thousands that has been shown as our income is, in reality, our very blood. We want that our money should be safe and should be spent with care. This sum should be utilized in meeting our needs as also be reasonably shared by the Government. May His Highness the Maharaja Bahadur rule and may we also lead honourable lives. If our life is contented, happy and safe, that of our ruler also is happy and safe.

This should not happen that the forests be flooded with illumination, and there be light on the hills and lakhs of rupees be spent on places of luxury and amusement while the public be utterly neglected and well-nigh starving. I daily see thousands of homes where no lamp burns to light their dreariness ; there are thousands and thousands of men and women found naked without a shred of cloth upon their bodies and without sufficient meals to satisfy their hunger. There is so much of poverty and destitution that it beggars all description.

A major part of the income is spent in meeting the pays of various offices. My revered friend, General Sahib, observed that 'position' too has its place :perhaps it is as important as the necessities of life. I would submit, that it is not the meaning of 'position' that you should suck our blood and lead luxurious lives. The subjects of the Maharaja Bahadur, who are to him as children,

should also be properly cared for. For the safety and betterment of these children a sufficient amount shall have to be provided and the immoderately heavy expenses of pays etc. shall have to be reduced. It is for this reason that we say 'cut down the pays and reduce the expense'. The dignity of the Government rests on the preservation of rights, the maintenance of justice and benign and sympathetic attitude towards the people. The dignity and pomp too is well-becoming only when the people are better off, are protected and are happy. Otherwise that pomp is of no worth which is based on hardships and cruelties and is uphold by inconveniencing the people.

Our speaking ends with our submissions for we have no voice in the actual conduct of things. What a helpless state is ours, that while we are the representatives of the people we should have to look up to the Government even for our trivial needs. In virtue of the power vested in us we submitted yesterday Pandit Dobey's amendment to the Food Control Bill, recommending an addition to section 10, to the Hon'ble President for permission to discuss it in the House But how very deplorable it is that the Hon'ble Home Minister rose to observe that those powers should not be exercised here. This is quite unparliamentary procedure. Is this the sympathy that the Ministers have for the public?

Do not consider that the elected members who represent the public are weak. Do not spurn their voices. We are the rulers. It is with our existence that the rule is subsisting and the whole lot of you are living. In our blessedness lies your happiness. We should all endeavour to live amicably and contented and peaceful life. Therefore lend us an attentive ear and accept this very important resolution of ours. But if on the other hand by dint of your majority, and our limited numbers, this resolution is turned down and we are not meeted out a just and sympathetic treatment we will be forced to dissociate ourselves from any debate on the Budget proceedings. Therefore it is incumbent on the Government that it should accept this resolution and consider over the consequences. Hence, I support Mr Beg's resolution.

LALA HANS RAJ : Before I say anything I would like to observe that the Hon'ble Prime Minister is not gracing the House with his presence just now. Since I am a new comer I have to put before the House an account of my activities for the period of two and a half years. Therefore, I would submit that the Hon'ble Prime Minister be requested to kindly come here.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : This cannot be done.

LALA HANS RAJ : Then I will speak when he comes.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : No.

LALA HANS RAJ : Hon'ble President, dear friends and

brothers. This is no lecture of mine. These are my experiences which I want to put before you. I do have some acquaintance with the affairs of the State and whatever my revered friend Sardar Ji, has said in the House during the last two years, I feel, has been an expression of my views as I am his desciple. (Cheers)

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The desciple seems more advanced than the Guru.

LALA HANS RAJ : My dear friend, Mr. Beg, in putting this resolution before the House has corroborated my views. I too had drafted a similar resolution but my friend Wazir Ganga Ram struck it off. In my opinion much has been said about this resolution already therefore whatever I have to say will be very brief. I have to say many things afterwards. Sardar Sahib submitted that all this discussion is a mere show and all the hopes that are held out to us are false rather I would call it a fraud. Yesterday I took an oath but before I took the oath I consulted General Sahib and promised that I shall speak nothing but the truth.

That is, speak truth but not in a way that it may injure other's feelings. Truth always reigns supreme. I had to face many a trouble but I always kept on the side of truth and truth had the victory. Even now I stand by truth.

My submission is that Sardar Sahib has made me to remember a certain article which fortunately happens to be in my pocket. He has said that the late Maharaja Ranjit Singh Ji used to say :—

> "The forests are my moustaches and are so vast a treasure to me that it would not matter very much even if no revenue is collected".

If I may be permitted, I would like to read the article.

NOTE —(The speaker begin to read out from the paper).

PANDIT JIA LAL KILAM : A point of order, Sir. Can anybody read from the Newspaper in the House? Parliamentary procedure is that no one can refer to a paper.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : He can adopt the paper as his speech. He cannot refer that such and such paper contains so and so. He can read the paper.

MR. CHULAM MOHAMMED SADIQ : Is that your ruling, Sir?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : He can read the paper.

PANDIT AMAR NATH KAK : May I move the amendment?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Let him speak and then you may move the amendment.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : (To Lala Hans Raj) : You cannot refer to the paper. You can read it.

NOTE —Lala Hans Raj read out from the "D gra Gazette" dated the 19th Poh 1992, the following article :

"The huge defalcation case of the LollabForests and the position of the Government—An attempt to increase disloyalty by inconveniencing the public,

The bit'er criticism by the old Dogra General, Lala Hans Raj on the Kashmir Government ''

LALA HANS RAJ : I have seen with my own eyes the days when the reigns of Government were in the hands of the late Shree Maharaja Ranbir Singh Ji. He used to say, "The forests of the State are my moustaches and he who cuts even a twig from its trees clips my moustaches with his scissors." His late Highness used to regard the forests of the State as that inexhaustible treasure which, if spent with care, would render the imposition of revenue on the public almost unnecessary. From the time the administration of the Government passed on to the hands of the non-State-subjects the first thing they did was to empty up that treasure. which has been called in common parlance by the name of "State Forests". For example the increase of the number of officers concerned, to an unbearable extent is an undoubted proof of the attempts to overburden the department. Whereas, in the past one Ban Wazir was sufficient for the sole control and management of the Forest Department and the same Ban Wazir made rules and Regulations that are in vogue down to the present day. Ministers drawing several thousands a month have had a nice time, Conservators and Deputy Conservators have also been appointed but it would have been sacrilege to expect of them any new finding or discovery. Regarding pays, it may be observed, that what could be done by spending a few hundreds some time ago, now needs several lakhs for its fulfilment.

If the rate at which the present destruction of the forests is going on keeps apace, it is quite obvious that the forests of the State will be entirely wiped out of existence, and the State will be completely deprived of that treasure which the late Maharaja Ranbir Singh Ji regarded as his "moustaches".

Ever-since the non-State-subjects have established domination over the State, the destruction of the State has set in. Only recently a case of huge defalcation in the forests of Lolab was brought to light. Several trees bearing the same marks were, one day. found all cut down. The damages are estimated at about several lakhs.

Beyond dispute, it is agreed at all hands, that the amount of fine should be ten times the extent of the damage done. Had it been a free and patriotic inquiry this case alone would have been sufficient to clearly bring before the public a case to openly flout the established prestige of outsiders in matters of honesty.

But what actually happened was different. An Inquiry Committee had its sittings. Enquiry was made into one part of it and the disreputable company was fined only seven lakhs and that was the end of it. The members of the Enquiry Commission had

pleasant tours in cars, going about here and there, and received heavy sums as travelling allowances.

Apart from this you have.....

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You have only five minutes more.

LALA HANS RAJ : I have only a few words more to say and then, I will sit down.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : But you will not be given time for discussion.

LALA HANS HAJ : Gracious Sir, you should have allowed me double the time for I have come last of all. (Laughter)

From this you will surely have formed an idea of the working of the Enquiry Committee. To turn to the honesty of the Government. Even such a small amount of fine appeared unpalatable to the Government and according to a certain communique, the Prime Minister and the Chief Justice secured sanction for a remission of this fine . . . . . .(Laughter from the Government Benches)

NOTE.—Addressing the House the member observed :—
"You waste my time like that".

LALA SHIV NATH NANDA : The fact that a cutting from the newspaper was read and no speech was made, should be recorded in the proceedings.

LALA HANS RAJ : (Continued his speech) Regarding the State employees it was decided that Mr. Hoon who, in the capacity of a senior officer in charge is responsible for the whole affair, should be retired, although Mr. Hoon was already due to retire. One D. F. O. was dismissed and the case regarding the junior officers was left over to be decided by the Chief Conservator. This, in short, is the working of the Council whose members are receiving salaries of several thousands a month and who claim that they are doing so much for the betterment of the State.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : (Interrupting) Who else wants to speak? Next please.

(Wazir Ganga Ram stood up).

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Do you want to speak in favour of this resolution?

WAZIR GANGA RAM : Yes, Sir I want to say a few things in support of the resolution of my learned friend Mr. M. A. Beg and I am fully certain that my friends, the other members of the House, and particularly the official members, will strongly support me knowing the extremely wretched and miserable condition of the public.

I have learned it with great pleasure that only recently the Hon'ble Prime Minister toured in the Kashmir Valley and saw with his own eyes the miserable state of the poverty stricken public and, as I have learnt, he did not even accept the T. A. for this tour,

What a boon it would have been if He had looked to the other side also. By this, I mean, if he had seen with his own eyes the condition of those Dogras also who are a military race and are ever prepared to sacrifice their lives for the sake of the State and the British Government. Even Barani lands are not to be found in the Kandi District. There is no water to drink; and these poor people do not get even two meals a day.

Under the existing conditions the Budget estimates for the year 1993 and 1994 for expenditure and income, as I find are all well-balanced. In a discussion on this resolution I do not want to put before the House the main heads of expenditure, but I cannot help bringing it to the notice of the House that while, for Stationery and Pensions Rs. 3,10,000 and Rs. 11,32,000 are being spent, no adequate amount is provided for Irrigation, Industries and other works of public utility in Kandi. Quite a major portion of the public depends upon cultivation and manual labour and there should be a liberal grant for the same. I don't think in any other place there is so much of expenditure on Civil Administration as it is in our State. Now, the matter that is worth consideration is just this, whether there has been any improvement in the status *i. e.* of the ruler or the ruled with such a heavy drain on the public money. If the economic position of the public was to be judged the census figures are before us which show that the average income per head per diem is no more than one anna. Thousands of people bid fare-well to their homes for months together and go over to the Punjab and the rest of India and they fill the public treasury by under-feeding themselves; and that money instead of circulating in the country goes straight to foreign Banks every month, through the fat salaries of high officials. It is the result of this destitution in the country that no one trusts even his own brother. Every body has his own axe to grind. The Mussalmans are harping upon their own voils, amongst the Hindus, Rajputs, Harijans, Khashtriyas, Kashmiri Pandits and the rest have their own grievances to ventilate, and daily much bad blood is being spilt even on the most trival differences. In short the public is in a very perturbed state. Seen with care, from a political standpoint, the importance of the Government is felt neither in the State nor outside it! and I am justified in remarking that the political importance which our State had a few years ago is now no longer to be found. The class of agitators inside the State are being encouraged, and the real well-wishers of the ruler and the ruled are in a state of distress and perplexity. All the work that could hitherto be done by a few low-paid officers is now carried on by several high salaried officials. And the condition of the public has not improved one bit. Crimes are increasing day by day; corruption is rife and rampant; and there is so much insecurity in service that the Government employees do not know

what might happen tomorrow. Therefore they follow, the principle, "make hay while the sun shines". Attacks are daily being made on the ruler, to protect against which the British Government in India has passed the Princes Protection Act and even the British Government cannot suffer such attacks to be made on the personality of our ruler, which are being made on him, but the authorities have never cared to institute an enquiry. Even financially our condition is no better. The State Budget shows a deficit for the last few years. Even the Reserve has not been spared. In short, economically, politically and financially our State is on the way to a speedy decline. I am verily reminded of the past when the pays of the Ministers were not more than Rs. 1,200. Nor was there such a secretariat nor so much of restlessness. And it shall not be out of place, here, to point out to the House that the pays of the Cabinet Ministers of Great Britain, who are controlling half of the world, do not exceed Rs. 5,000 per mensem. The Prime Minister of Japan , which is today a very strong eastern power and is a matter of wonder to the whole world in trade and industry, draws only Rs. 500. The entrusting of the administration of a poor State like ours to the hands of such heavily paid staff, when in return for that there is not the slightest improvement in the affairs of the country, is a proof of the fact that the poor public is born to feed a few officials and that, the officials are not meant for the comfort and safety of the public. This is not called administration. It is open exploitation. I shall appeal to the House in the name of justice and reasonableness that when every officer is keeping upto date cars and radios the poor public whose earnings have provided us with these facilities and comforts may also be cared for. I don't want to take any more time. I heartily support the resolution of my learned friend and would request the Government members that when they care so much for their own comfort they should, keeping in view the poverty stricken condition of the public, start industries from the savings of the Budget so that every body may be blessed with daily bread at least.

(The House then rose for lunch at 1 P. M.)

MR. AMAR NATH KAK : Hon'ble President. There can be two aspects of the resolution which Mr. Beg has put before the House. One of these is this, that the expenses which the Government is incurring on the salaries of all those who are drawing more than Rs. 500 is so great that it should be reduced. And if the approach to the resolution is from this standpoint that our administration is top-heavy and if the giving away of salaries of Rs. 500 and above is many times more than our income can bear, I fully agree with my friend. There is not the slightest doubt about the fact that the administration of this place is top-heavy. The salaries are being increased from day to day and it is very necessary

that the pays be reduced But if along side we look into the wordings of the resolution, we shall find that the resolution has not been properly worded.

Because, if the resolution, as it stands, be looked into closely it will appear that this proposal is impracticable. The proposal of my learned friend that a reduction of 50 per cent. be made in the salaries of all those who are drawing Rs. 500 or more judged on grounds of practicability will be found to be difficult to put into practice since under such conditions one who draws Rs. 600 will be getting Rs. 300 even less than the one who gets Rs. 400. And this would mean that an officer will be getting Rs. 300 only while his subordinate will get Rs. 400.

MR. M. A. BEG : This resolution will be made in the pay of those only who are drawing more than Rs. 500 and under these conditions the pay of one who is drawing Rs. 600 will become Rs. 550.

PANDIT AMAR NATH KAK : From the reply I have received from the mover it is clear that a reduction of 50 per cent. is to be made from that portion of the salary which is in excess of Rs. 500. But the wordings of the resolution do not show clearly whether a reduction of 50 per cent. is to be made in the salaries of those who are drawing Rs. 500 or those who are drawing more than Rs. 500. Since there are these defects in the resolution, I have felt the necessity of moving these amendments. My first amendment is that the words "reduction of fifty per cent." be deleted from the resolution and instead the words that "such reduction be made in the salaries of all high and low officials, that their pays may become reasonably proportionate," be introduced. That is to say, that some proportion be set up between the pays of the highest and the lowest paid officers. Some members can object that no definite proportion has been pointed out, therefore, this scheme or resolution is out of place here. But as I have submitted this matter will be rendered very clear if the same reasonable proportion is maintained between the highest and the lowest paid salaries.

To put the matter bluntly, I would like to say, that there should be some reasonable proportion in the salaries of a teacher who gets ten to twenty rupees a month, a Director of the same department who gets Rs. 1,500 and a Minister who draws Rs. 2,500 a month. We must bear in mind the work done by each; the teacher; the Inspector and the Director, whether it is ten times, twenty times or twenty-five times. Supposing the proportion of work is considered to be twenty-five times, then, the Director should get Rs. 500 as pay and the lowest paid teacher should get Rs. 20. And it would be a much better principle if the proportion of the pay of a Minister be put at fifty or one hundered times that of a teacher. What is worth noticing is the difference in the salaries of the highest

and the lowest paid servants of the department. Let some definite proportion be fixed according to which it may be possible to decide what pay is to be paid to a teacher and what to a Director so that every man may be able to get a reasonable remuneration for his work.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : What is the extent of difference between your work and that of another advocate? How can you find the difference in the mental aptitude?

PANDIT AMAR NATH KAK : I want to make this submission that the highest and the lowest limits of salaries may be fixed within that range the pays might vary with some reasonable proportion.

The second amendment which I have put before the House is that as the pay goes on rising the cut ratio may also go on increasing. That is to say if on Rs. 600 there is a ten per cent. cut, on Rs. 800 it should be twenty per cent. and so on, till it is forty per cent. on Rs. 1,500 and so forth. In support of my amendments I want to point out that the tendency of the world today is towards the equalisation of the standard of living as far as possible. The world is heading towards equality and this equality can be maintained only if the pay of the lowest paid officer be raised so that he may also be able to lead an honourable life. And the pays of all those people who are getting more than they require, be decreased. And again it is but proper on point of principle also that since our administration has become top-heavy therefore the larger pays be reduced.

Since the wordings of the resolution are defective, therefore, I will submit that Mr. Beg might adopt that part of my amendment which suits him and the resolution may be put before the House in an amended form.

COLONEL ABDUR REHMAN : Enough light has been thrown on the legal points of this resolution. Therefore, in a few words I want to support the resolution of Mirza Afzal Beg.

LALA SHIV NATH NANDA : Sir, the amendment has not been supported so far.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : That is not necessary here.

COLONEL ABDUR REHMAN : A demand has been made for reducing by fifty per cent. the pays of all those who are drawing Rs. 500 or above. I would very meekly submit that in alloting sums for salaries due regard should be paid as to how much can the public bear, because these pays are being received from that naked and hungry public whose men do not get even a meal for several days. I know that on the occasion of the Silver Jubilee people had to mortgage their utensils even for the paltry sum of six annas to be

able to pay for the fund. Taxes are being received from them forcibly, without compensation and against all principles of nature. From Nature we learn that clouds rise up from the seas; there are rains on the mountains; and that water collects itself into streams and rivulets; and coursing into the rivers it flows back into the oceans. Therefore I submit, that such heavy taxes from the public should not be without any return. The people should also receive some compensation and be not simply locked up in the Bahu and Riasi forts. Supposing the pays of the officers have to be kept so high alongside, it is imperative that the Government should take due care of the people also. Therefore you should, first, make the public fit to be able to bear the burden of such heavy pays. I want to draw your attention to that illiterate and poor peasent who has to plough the field five or six times in order to grow wheat. And if saffron has to be grown in Palanpur still greater labour has to be borne. Of course no labour is required for the growing of Kikar and Berri trees. What I mean is that for a good crop a good deal of labour has to be done and care has to be taken. In a like manner the Government must, first, make the public fit to bear so much expense and then, of course, such heavy pays may be granted.

I have asked hundreds of people as to why they sold their daughters in consequence of which they had to bear punishment. The reply invariably is that they had to pay such and such a tax. They had no money; and the taxes are not collected gradually, therefore, they had to do such an act. Some others say the payment of grazing fees had been pending for the last ten years and they were forced to do such a thing. How very deplorable it is that innocent girls of about eight years of age are sold and the poor girls weep and cry that they have been sold in the Punjab, or elsewhere. It is extremely regretable that no sympathy whatever, is being shown to the public.

Regarding pays I know what reply I am going to receive but I am just now reminded of an anecdote. In Bandipur there lived a man by name Abdulla who was a supply agent in the Commiserate. He was a rich man. He was very fond of keeping goats. He would give these almonds to eat. In the year 1960 one of his goats fell ill. I too went to inquire about its health. (Laughter) I found the goat almost panting for breath. I asked Mr. Abdulla to either put the goat under proper treatment or give it over to me. He said it is "*Aikal*" *i. e.* a pet pig. I pulled a long face at it and withdrew. On my return I asked a Hindu friend to go and get the goat, perhaps it might be of some use to him. When that Hindu went there he was told, "It is a "bullock" that I am keeping". He too returned as I and the goat was given to nobody in the village. In a like manner we have come to know that the Budget estimates are not going to bate even by one over sixtieth part of a farthing. It

is up to you to agree or not but it is ours to make submissions. Just realize this. It is said even of a camel-driver who is regarded as ill-mannered, that he too when he loads his camel looks to the pack-saddle, the crupper and the like to see that every thing is all right, and then, it is that he loads his camel with about four maunds and a half. And there again, if the camel fidgets and grunts the driver unpacks a sack knowing that the camel will not be able to bear that much burden.

Our population of about thirty-six lakhs is crying and every new dawn brings for them an additional worry. Formerly there were only eighteen taxes but now they have been raised to twenty-one.

When we go back to our homes from this place, for the first three or four days we have actually to hide ourselves somewhere because we have to tell them as to what we have done for them. And, then we have to tell them all sorts of lies. Between ourselves and our Hon'ble Ministers, under whose benign rule we are and to whom we have to look up for our everyday needs, there has been a barrier or curtain which, it is very imperative, should be forthwith removed. The fact of the matter is, these people are our paid employees who should always have our welfare and interests at heart. Sleeping and awake they should always think of how they can improve the condition of poor subjects.

And it is their paramount duty to find out ways and means of ameliorating the condition of the public. It is particularly the duty of the Ministers that they should justify their heavy pays and give proof of their capabilities in increasing the welfare of the public. They should always bear in mind the public who is providing them with their bread and prove faithful to them.

We saw in the Great War that European officers had great sympathy with us which sympathy is not at all be found in our Ministers. As a matter of fact these Ministers do not have the slightest heart-felt sympathy towards us and that is why we too do not have any sympathy for them also. When any question is asked we get a very sweet reply couched in beautiful words that our request will meet with sympathetic consideration. But we do not know wher will we receive that sympathetic consideration—will it be on the Dooms-day? This resolution is a very important one and we hope that the Government will surely support us and the members of the Government will vote on our side provided they have any feelings of sympathy with us and any pity on the wretched state of the public.

If the Government is not going to support us how can we co-operate with the Government. With these words I very strongly support the resolution and pray to the Government to accept it.

PANDIT JIA LAL KILAM : So far as the resolution of Mr. Beg

is concerned no one is against it. To say that our Government is top-heavy is to use a very mild expression. So far as my knowledge goes, in no other place there is such a top-heavy administration as we have got over here. Let me quote some specific instances of a few countries. The expenditure on the Executive Council of the Viceroy in British India is not more than eighty lakhs. The expenses on the Provincial Councils do not exceed sixty-two to sixty-four thousands. In British India the pays are, no doubt, higher being somewhere between five to seven thousands a month, but the burden of these pays is borne by a population of thirty-six crores. The pays of the Cabinet Ministers even in the United State of America do not exceed three thousand a month. It is the contention of one very learned scholar, whose name is Mr. K. T. Shaw, that the pays of the high officials in India are much higher. And his suggestions too are exactly similar to those which have been put before the House by Pandit Amar Nath Kak in his amendment. Here the taxes are very heavy. The population of our State is thirty-six lakhs and the income only two crores and forty-seven lakhs. To engage so heavily paid officers at rupees two to three thousands a month is excessive violence and is nothing else but an attempt to suck the very life blood of the poor public. My friend, Mr. Beg said that the burden of the land-revenue tax in our State is exorbitant. And it is a fact that the public is very much troubled by it. Of course, let us not enter into the discussion whether it is a tax or not. The public is heavy burdened with these taxes and it is most unbearable. Only recently there was a very unhappy event about which I read in a very responsible paper like 'The Amar' I think this news has been published in the "Kashmir Times" also. In Kathua, one Rajput, named Suchet Singh being unable to pay the revenue committed suicide. When the outstanding revenue could not be recovered even by an attachment of his crops warrants were issued for his arrest as a result of which he committed suicide.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : In this State?

PANDIT JIA LAL KILAM : I have read it in a paper just now. Kathua is in our State. If it is a fact and "Amar" and "Kashmir Times" are responsible papers under such conditions the Ministers should of their own and free accord say that their pays may be reduced. The (Hon'ble) Ministers can be called patriotic only when they express their intention of getting their salaries reduced. Is it justice? On the one hand human beings are sacrificing their lives for the sake of the high handedness of the Government and on the other our high officials are out to get more and more pays. Can there be anything more cruel than this. The present high salaries are being given to our high officials in the most injudicious

and unjustified manner. The object of Mr. Beg by moving this resolution appears to be that while the pay of one who is drawing Rs. 499 shall remain what it is, the pay of one who is getting Rs. 500 shall be reduced to two hundred and fifty. In today's speeches in this House this has been said by every body that since the number of Government members is much larger therefore the reply that we will be given will be that the expenditure on the pays of high officials is much less than the expenditure on the pays of other employees and all the Government members agreeing, this resolution will be rejected.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : When you know the reply what is the fun in prolonging it. Mr. Beg has correctly interpreted it.

PANDIT JIA LAL KILAM : If your lordship also admits that it is right to reduce by 50 per cent. the pays of all those whose salaries are above five hundred then why do not you accept Mr. Kak's amendment which is quite justifiable. And it is a very reasonable resolution.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Maulvi Sahib, why have you sat down. Why are you confused? Formerly you were never afraid.

MOULVI MOHAMMAD ABDULLA : Sir, I had thought to let the motion be opposed before I should speak. My submission is that in the face of arguments on the strength of which Mr. Beg, Mr. Dobey, Mr. Kilam and Mr. Kak have supported the resolution its opposition is impossible. It is very necessary that huge salaries be reduced and the money saved thereby be used on works of public benefit and utility. The spending of money thus saved on benefitting the public and improving their state would be most advisable. The point is that if one goes to some body's house to manage his affairs he always goes with a sympathetic heart. Admitted that the Ministers are very capable and it is on the merits of their capabilities that they desire to get pays of several thousands but the question is that when the country is daily being increasingly steeped in indebtedness; when people are harassed by constant ravagers of plague; and when every year about one crore and several lakhs are being spent on pays of high officers alone, some such arrangement has to be made which would save the people from being squeezed to death. The debate veers round this point, as Mr. Kak affirmed, that the world is daily realizing this fact more and more and if a Government does not attend to it Nature brings to play its own part so that a Government has to devote its attention to this side of things also. This resolution that has been put up is published in this paper also (reads a newspaper). This very good news is published in the paper that in the State the pays of the Ministers will be reduced and the administration will change,

This fact appears in the Dogra Gazette. Such articles are appearing in other newspapers also. It means that this voice is no longer confined to this House only but is going round the whole world. The cause of all present-day trouble is that while one man is very heavily paid the other finds his income barely sufficient to meet his daily needs.

There is a revolt in his heart. He says "that high salaried person is a big capitalist while I am poor". When a Minister draws a salary of several thousands while a clerk gets only twenty-five rupees a month he weeps and says that that Minister has coveted money and has reached a position of eminence and the clerk makes up the deficiency by taking bribes. The point for consideration is that when together with the resolution a description of the Travancore State has been put before the House and it has been realized that there is great room for improvement in sphere of public utility the Government should be more sympathetic and should moderate the standard of pays. More and more money needs be spent on public benefitting departments. I do not agree with the observations of Mr. Kak. I support the resolution of Mr. Beg, because Mr. Kak observed that the pays of subordinate officers be raised. I do not support this point. My contention is that the poor public will be grateful if the burden of heavy pays be reduced. The pays of Government officers from the lowest to the highest are not at all insufficient. Every Government officer, be he getting forty rupees per mensem can support himself. The expenditure of money on works of public utility is very important. The patients have to be attended to. In a short while you will receive a resolution that in such and such a village there is a patient but there is no doctor. We have to solve the troubles of the poor public, therefore this is our humble submission, that the pays be reduced. Let it not be understood that we have some malicious feelings towards you and are jealous because you go about in cars. We pray that you may attain a still higher position.

But our point is different. The money which flows into the treasury is the result of our industry and labour. Therefore, out of sympathy, reduce the burden of heavy pays so that the poor and helpless people be rid of their trouble and worries and it may be possible to spend more and more on public utilities. Therefore, I support the resolution.

LALA SHIV NATH NANDA : Hon'ble President, I want to place two or three important facts before your Honour with regard to the discussion on this resolution which has been going on since 12 o'clock, in order to remove the misunderstanding under which, as I think, Mr. Kak or the members of the other party are labouring.

In fact the resolution is like this that the salaries of all those employees who are getting Rs. 500 or more should be reduced by

50 per cent. Before inviting your attention to the officers getting Rs. 500 per mensem, I would, first of all, take the case of the Ministers so that the misunderstanding which exists may be removed. My respected friends have stated that in the past the salaries of the Ministers were Rs 1,200, Rs. 1,500 and Rs. 1,800 per mensem I would, for the present, like to take the case of the Chief Minister. Whatever has been stated by my frieds is not correct. They either do not know as to what the salary of the Prime Minister was or they are concealing it deliberately.

SARDAR BUDH SINGH : Are you opposing the resolution or supporting it?

LALA SHIV NATH NANDA : I am opposing it. I submit, Sir, that Diwan Amar Nath was the first Prime Minister. It is said that he was working honourarily but I would say that Diwan Amar Nath was getting at least Rs. 10,000 from the State. He got no salary but his Jagir yielded an income of no less than Rs. 10,000. After that I would say something about Raja Daljit Singh. He, besides, drawing a salary of Rs. 3,500 per mensem from the State, was provided with a magnificent bungalow and a carriage was placed at his disposal for full 24 hours and at the same time he had nothing to pay as income tax. You will find by calculation that the present Prime Minister is drawing Rs. 4,500 per mensem while the former Prime Minister was getting Rs. 10,000 per mensem. As regards the other Ministers it has been stated that their salaries are very high ; in this connection I would submit that with the exception of two Hon'ble Ministers, all other are lent officers. First you favour them and afterwards you say as to why they are drawing such high pays. Had you managed to put an end to the riots, set up a common platform and unite the Hindus and the Muslims, I would have agreed that their services were not required. But riots are taking place every day so much so that disturbance took place at Rainawari even yesterday and a gutter is said to be the cause of this disturbance. One party said that the gutter passed through their land. The Governor went to the spot and decided in their favour and gave the gutter over to them.

KHAN SAHIB RAJA MOHAMMAD AFZAL KHAN : It was not decided like that but rather the parties made a "compromise".

LALA SHIV NATH NANDA : Well, they made a compromise themselves. I think no body has a right to enter into a compromise in respect of Government land. My submission with regard to this resolution is that unless the Hindus and the Mohammadans form a common plat-form, reduction in the salaries cannot be made. The Hon'ble Ministers who are here as lent officers draw enough pays even in British India, which, I think, is not less than Rs. 1,800 per mensem ; and here in the State they have to be paid 20 per cent., 40 per cent or 60 per cent. more than they draw in

British India. I think these salaries are not very high and I would submit that these salaries are paid to them for their high qualifications. I would ask Moulvi Mohammed Abdulla Sahib Vakil sitting over here as to whether the poor are actually hard pressed ; and how many members of his family are in the State service? My submission is that when we are in need of money we make such demands? I do not want to discuss this matter any more but would refer to the financial difficulty. My friends have stated that the financial stringency is increasing every day.

A surplus of Rs. 50,000 has been shown in the current year's budget and there has been no deficit in the State treasury on account of financial difficulty. Banks also show profits and there is no question of financial difficulty. I wonder why under the present conditions such resolutions are moved in the Praja Sabha, but nevertheless they have a right to do so. Mr. Dobey in the course of his speech stated that there has been an increase in the expenditure ; but if he, being the leader of the Liberal Group of which I am a member, permits me, I can show him how this loss can be made up. Neither any improvement is made in the Silk Factory nor are any steps taken to improve the industrial department and the other departments also are not running satisfactorily. When all this is done the people will become prosperous and the Hindus and the Mohammadans will regard each other as brothers.

MR. M A. BEG : How many minutes have been given to you.

LALA SHIV NATH NANDA : Fifteen minutes. My respected friend Sardar Budh Singh has, in the course of his speech, stated as to why so much money is being spent on wordly things and other luxuries. Had I become a saint and been clad in khaddar, I would have surely agreed with him.

SARDAR BUDH SINGH : I am not a saint but a servant.

LALA SHIV NATH NANDA : I regard you to be a saintly person. My respected friend has stated that a deficit of rupees $1\frac{1}{2}$ lakhs, 2 lakhs, 5 lakhs or 10 lakhs has taken place, and that the deficit which has resulted in the State treasury can be made up by reducing the salaries of the Government servants by 50 per cent My submission is that the salaries are not higher than before. There has been no increment in the pays of the Governors of both Jammu as well as Kashmir and it is the same as it was during the reign of His late Highness. My respected friend the Governor of Kashmir sitting in the Praja Sabha Hall, is a lent officer. There has been no increase in his pay, but on the other hand there has been a decrease. The lent officers are paid more outside the State.

MR. M. A. BEG : Wherefrom have you got these figures? Is it not from Ashai Sahib?

LALA SHIV NATH NANDA : As regards the Medical Department I would submit that there are two Medical officers as before and since long they are drawing the same pays as at present. The pays of the Forest Department seem to all of you to be very high. There is no doubt about this that the officers of this department are highly paid and is due to the fact that the department gain as a lot and has sufficient income. It is necessary to have a Director of Industries on Rs. 2,000 per mensem in order that he may devise some measures of improving upon the general condition of the country as well as the industries of the country. I would request my worthy friend that instead of reducing the salaries of those drawing high pays and thereby saving Rs. 4,000, Rs. 10,000, or Rs. 20,000 per annum ; it would be better to pay attention to industries. By developing the industries the country can prosper but mere reduction in the salaries will not serve any useful purpose.

SARDAR BUDH SINGH : Where will you get this money from?

LALA SHIV NATH NANDA : It will come from your pockets. So, if you want to see the ruler and the subjects happy and prosperous, you should devote your attention to the industrial department, because it is this department which is the keynote to the betterment and advancement of the country. If the condition of the industries becomes better the country can prosper. It is thus useless to move resolutions every day for the reduction of the salaries. Most of you supported the resolution for the prevention of bribery which was moved in the last session of the Praja Sabha, but by reducing the pays we encourage bribery. If the officers are well paid and honest, bribery can be stopped. I am told that there is only one minute left for me.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : One minute has expired.

LALA SHIV NATH NANDA : No, Sir, it has not expired as yet.

It is not due to your favour that the lent officers come to serve the State but it is due to their qualifications. One of my friends has, in the course of his speech, stated that today you occupy these fine chairs in the House and deliver speeches, but it is because the people have joined with you that you have got such an opportunity. For instance there are about 10 pleaders sitting in this House. One of them demands Rs. 5 while the other Rs. 10. There is Moulvi Mohammad Abdulla and Pandit Amar Nath Kak. Why it is that Moulvi Mohammad Abdulla demands Rs. 10 as his fee while Pandit Amar Nath Kak demands Rs. 100. (Laughter)

MOULVI MOHAMMAD ABDULLA : That is due to the fact that I am opposed to capitalism.

LALA SHIV NATH NANDA : Pay is given according to quali-

fications. With these words I conclude my speech.

PANDIT GOBIND RAM KABU : Sir, much discussion has taken place on this matter from every quarter. I would like to say something regarding a few facts which have not been referred to before. The first is that inspite of trying my best to make out the speech of Mr. Nanda I have not been able to understand it so far.

LALA SHIV NATH NANDA : It is because you are a teacher.

PANDIT GOVIND RAM KABU : The duty of the teacher is to make others understand. On the one hand the Lala Sahib wants that impetus may be given to the industries of the country. On the other hand he ignores the methods to be employed for acquiring money. There are two ways of acquiring money namely the imposition of taxes and making reduction in the present top-heavy administration. Those employees who draw high pays should agree to reduce their pays of their own accord. (Hear. hear)

A VOICE : Loan can also be had.

PANDIT GOBIND RAM KABU : That too can be had from Mr. Nanda. I think Mr. Nanda has made a mistake. In fact this is what is Mr. Nanda's electorate and this is the means which he would employ for future. If he has lent strong support to maintain the present salaries, you should not feel agrieved in any way. I do not agree with Moulvi Mohammad Abdulla regarding the statement which he has made that the pays of the employees in the lower grades are quite adequate. The pays of these employees are very low. The pays of the gazetted posts were revised and there has been no increase in the pays of the non-gazetted employees. This was done when the State had sufficient income, and it was then that the salaries of the Chief Conservator of Forests, the Conservator, the Medical Officers and the Chief Medical Officer and such other official were increased.

The pays of the inferior employees are very low and those of the superior employees are very high and thus there is a great dis-proportion in the salaries. In this connection the Ministers and the other high officers strained every nerve to get their salaries increased. The first thing which I think necessary for removing this dis-proportion is that keeping the financial difficulties in view, they should voluntarily recommend a reduction in their salaries and thus remove the poverty from this country and the money so saved be utilized for the improvement of the industries, for works of public utility, construction of roads and bridges and irrigation.

MR. M. A. BEG : He is with the resolution. (Hear, hear).

PANDIT GOBIND RAM KABU : I support this resolution as interpreted by the Hon'ble President and conclude my speech.

MIAN AHMED YAR : The real object of putting this resolution before the House is to improve the financial condition of the country. It is in view of this miserable condition of the country that

this resolution for making a 50 per cent. reduction in the salaries has been moved. Last year a similar resolution with the same object was placed before the House—that there should be a progressive cut on Rs. 200 or more but that resolution was not in accordance with the rules. This resolution is being opposed in the House and one of my friends referring to the amendment of Pandit Amar Nath Kak stated that the mover understood the interpretation of Pandit Amar Nath Kak and that there was no need of this amendment. What the mover of the resolution meant was to reduce the expenditure, somehow, in order that the financial condition of the State which is not good at present may be improved. Under the existing circumstances the difficulties of the people cannot be removed. By curtailing the expenditure money can be spent on works of public utility and arrangements for water supply in Illaqa Kandi can also be made. Much has been said with regard to the difficulties which the people of Kandi Illaqa are undergoing. There is Kandi Illaqa in Muzaffarabad District as well and there too the people are experiencing great hardships. In view of these hardships of the people, this resolution has been put before the Government that under the present condition incurring of such an expenditure on the salaries was not justified, because if the present state of affairs continues the result will be that more taxes will have to be imposed on the people who are already feeling tormented by the taxes. The Hon'ble President also has explained this resolution and stated that there is no defect in the wording of the resolution of the mover. You remember that when salaries were subjected to a 10 per cent. cut, it did not effect those whose pay was Rs. 24 per mensem, and the pay of those who were drawing Rs. 26 per mensem was reduced. Therefore, to say that the resolution has not been moved in proper wording and in proper form cannot be correct and this point has been raised simply to justify one's amendments.

As regards Mr. Nand's speech my submission is that he ought to know that the standard of living of the people of Travancore State is as high as that of other civilized countries. In that State huge sums are being spent on works of public utility while in our State comparatively very little is spent on public works in spite of the fact that the income of our State is more than that of Travancore. Opposition should be based on the principle of logic or reasoning. When there were three Ministers in the past, what then is the necessity of so many Ministers. Those who have opposed this resolution have not given any satisfactory reply. The House should take into account all points of views and if the members cannot say anything for the public; in that case, I think, the best course for them would be to walk-out of the House or not to participate in the budget. The Government should form their

opinion after taking all the points into consideration. With these words I support the resolution.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : Sir, it would have been better if this resolution instead of being moved today, would have been put before the House one or two years earlier because in that case the economic and financial condition of the State could be a reasonable cause for such a resolution ; but we have passed that stage and now the financial condition has become stable and there is no financial stringency. I think my respected friend the mover does not know the present budgetary position of the State otherwise he would never have moved this resolution. For his information I would like to point that in the estimates for 1992-93 there is a surplus of Rs. 4,46,000 and after paying off Rs. 4,16,000 to the Dharmarth Department, Rs. 25 lakhs have been invested in buying Government of India Bonds and this satisfactory improvement in the financial condition is to a great extent the result of the efforts of those employees whose salaries are proposed to be reduced. Thus this resolution would have been in time had it, instead of being moved today, been put before the House two years before when the Government was really passing a stage of economic depression. Therefore, economic depression cannot be the cause of moving this resolution at present. There is every possibility of this resolution having been moved in view of the resolution of the Indian National Congress to the effect that no officer should be paid more than Rs. 500 per mensem or it might have been put before the House with a view to strengthen socialistic ideas.

SARDAR BUDH SINGH : The Hon'ble Finance Minister in his speech is supporting the Congressite and Socialistic ideas.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : But in that case, in order to keep the economic condition in tact, it is desirable that half the income of other persons whose monthly income is more than Rs. 500 should also go to the State treasury and similar restrictions should be imposed on the property of the capitalists also. The standard of pays has been fixed in accordance with the importance of the posts and the responsibilities attached thereto. This State is only a part of India as a whole. The financial advisers of the Government of India and the members of the Legislative Assembly also propose to make a reduction in the expenditure of the Government, but making reduction in the expenditure by lowering the standard of efficiency is against the interests of a good Government and bad economy. And keeping these facts in view the Government of India did not reduce the salaries but on the other hand have framed special rules for safe-guarding the interests of the high posts under the new Government.

The scales of pays in British India are comparatively higher

than the State. Generally the services of the employees of Government of India are acquired to work as lent officers on high posts in the State and so their pays should also be given to them according to the same standard. My respected friend has stated that in the past the Ministers were paid Rs. 1,200 per mensem. He ought to know that in those days the officers coming to the State as lent officers were E A. C's, and at that time they were paid Rs. 500 per mensem in British India.

A VOICE : Who are brought here now as lent officers?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : They are I. C. S. now.

PANDIT JIA LAL KILAM : Good, good! I. C. S. !

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : All this is the result of your kindness, and now more will be coming.

PANDIT JIA LAL KILAM : We will show still more kindness.

SARDAR BUDH SINGH : Those who are not I. C. S.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : I am not going to reply to personal references. This is your habit.

SARDAR BUDH SINGH : Mr. President, I want to raise a point of order. He has taken an undue advantage of his position. I cannot tolerate this tone of the Hon'ble Minister. He says it is my habit. I have not made any personal attack. I have stated that the Minister from within the State are also drawing the same salaries which are being paid to the Ministers from British India who are I. C. S Are the State Ministers also I. C. S?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : I am awfully sorry. I thought Mr. Kilam put in a word.

PANDIT JIA LAL KILAM : If Kilam has spoken a word he will be ignored because he has occupied a seat in the corner. If any one else says (laughter) something notice thereof will be taken.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The thing is past, it did not attract my attention.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : By paying low salaries men of ordinary ability can be available, but in that case it will not be a proper use of the public money. The standard of efficiency in the Government services will become low with the result that the income of the State will go down and money would not be available for works of public utility for which this Praja Sabha has always felt anxious. Moreover, the Government servants. in order to maintain the dignity of their office, have to keep their standard of living comparatively higher than those of other people ; and if their pays are not adequate it will be difficult for them to do so ; and they, in order to maintain an equilibrium of their income and expenditure, will resort to such means which will be

harmful both to the Government and the people with the result that the income will go down, people will become poor and limited funds will be available for departments of public utility.

Only a short time ago the members of the Praja Sabha submitted a petition to the effect that the daily allowance of Rs. 5 was not sufficient for keeping up their standard of living and so it should be raised to Rs. 7 and it was done.

MIAN AHMED YAR : Nobody said that Rs. 5 were not sufficient for their living.

PANDIT JIA LAL KILAM : It is only Rs. 210 a month.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : Besides, you perhaps, do not know as to how many State employees are drawing more than Rs. 500 a month. Out of the total number of five or six thousands of the State servants, the number of such employees as are getting more than Rs. 500 per mensem is between 75 and 80. It is necessary to maintain the agreement between the Government and the servants in view of which the employees drawing more than Rs 500 per mensem entered the State service and are discharging their duties diligently and with devotion in the hope that the present standard of their salaries would be maintained. If they are compelled to accept half of their present salaries they will be justified in charging the Government of breach of promise, and most of them will prefer retirement than accept half pay ; the Government will be deprived of the services of experienced, faithful and capable officials and the people will place no confidence in the security of services. Moreover, the unreasonable burden of pensions will fall upon the royal exchequer. When, within the last few years, the item of pensions has exceeded Rs. 11 lakhs, by granting pensions in this way, the treasury will have to bear double burden.

SARDAR BUDH SINGH : The burden of pensions is due to the premature retirement.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : It is very difficult to catch what you say. You speak very suddenly and I cannot catch it.

SARDAR BUDH SINGH : The Hon'ble Finance Minister has stated that by doing so the treasury will have to bear this great burden and the services will not remain secure. I want to ask whether there is no burden on account of premature and compulsory retirement and can services remain secure by retiring persons in this way? For instance three Wazirs Wazarat have recently been retired prematurely.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : I want to submit before the Hon'ble President as to whether it was fair to speak from behind when a member is making his speech.

SARDAR BUDH SINGH : A back seat has been allotted to me

and so I have to speak from where I am sitting.

THE HON'BLE RAO BAHADUR THAKUR KARAR SINGH JI : I like to show what salaries were paid to the Ministers in the past.

Raja Daljit Singh and Diwan Bishan Dass were drawing Rs. 3,500 per mensem each, and Diwan Sahib is getting Rs. 700 as pension even now In addition to their pay many other facilities were provided to them. They were provided with furnished houses, carriages and many more facilities and in this way their total monthly income came upto about 7 or 8 thousand of rupees In comparison with their salaries, the present Prime Minister is drawing Rs. 4,500 per mensem only.

LALA SHIV NATH NANDA : Diwan Sahib's sons also are in the Government service.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : Not only sons but even their other relatives are employed. Moreover, the matter of the revision of salaries is under the consideration of the Government, the result of which will become known to you within 6 months and hence the Government is not prepared to make a cut in the salaries by a certain percentage.

Colonel Sahib and Dobey Sahib also have made speeches and a large number of those who have supported this resolution are pensioners. They must know that 11 lakhs rupees are already being given as pensions and if this resolution is passed the Government will have to bear an additional burden in the form of pensions, and it is just possible the pensioners may also have to suffer some loss.

SARDAR BUDH SINGH : The increase in the amount of pensions is due to the kindness of the Government.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : I have examined this resolution from every point of view and have fully considered over it. I could not find any reason to support it. If this resolution is carried, it will cause a ridiculous disparity in the salaries and since its result will be detrimental to both the Government and the people; I strongly oppose it.

PANDIT RAM CHANDRA DOBEY : Although no body has a right to speak after the reply has been given on behalf of the Government; yet I want to submit that yesterday and today's attitude of the Government has proved that they would have their own way and the public interests are not the least cared for. The attitude of the Government appears to us to be against the public interests, therefore, the best course for us is not to take part in the voting. I agree with Sardar Budh Singh and so walk out of the House.

NOTE.—All the members of the Liberal Group, Conference Party, Sardar Budh Singh, Colonel Abdur Rehman, Choudhari Abdulla Khan and other non-party members walked out of the House.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Since the mover of this resolution is not present here, his resolution is taken to have been withdrawn. Now Mr. Kak will move his amendment.

MAJOR GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : I think it may be noted as to how many walked out. Who were the particular persons.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : All the Muslim Conference members and most of the Liberal Group.

PANDIT AMAR NATH KAK : My submission is that if the original resolution is considered to be withdrawn, my amendment cannot be passed.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : It has not been withdrawn but lapses.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : I decide that since the mover of the resolution has gone out, therefore, it cannot be considered now. After that comes Pandit Kak's amendment Since Mr. Kak also is not moving his amendment therefore that too cannot be considered.

PANDIT JIA LAL KILAM : Has your Honour given a Ruling?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : What do you want? The proposer of the resolution having walked out with his supporters, his resolution can not be voted upon.

PANDIT JIA LAL KILAM : My submission is that the resolution is in the possession of the House and not in the possession of any individual member.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : What is the good of taking votes when all the members have walked out. Mr. Kak does not press his amendment and withdraws it with the permission of the House.

PANDIT LOK NATH SHARMA : Most probably the point which Mr. Kilam wants to raise is that when the resolution is rejected, a resolution on the same lines cannot be moved in the House within one year.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : That is the same thing. When a resolution is moved by a member and is not passed by the Praja Sabha or is not withdrawn with the leave of the Praja Sabha that resolution cannot be moved within one year. It would be a farce to take votes on this resolution.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Resolution No. II please !

CHOUDHARI ABDUL KARIM (Mover) : "This Praja Sabha recommends to the Council that a suspension bridge, supported by wire cabels, be constructed over the river Jehlum near Sural so that the people of Taral, Atangora and Sansa may no longer have any difficulty

in crossing the river."

CHOUDHARI ABDUL KARIM : I withdraw this resolution.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : With the permission of the House, the resolution is withdrawn.

Resolution No. III please !

LALA RAM LAL (Mover) : "This Praja Sabha recommends to the Council that an Ayurvedic and Unani touring dispensary be set up in Poonch Illaqa so that the inconveneince felt by the Poonch people owing to the remoteness of the dispensaries may be removed".

LALA RAM LAL : Since the Wazir Sahib Poonch has promised to make arrangements, therefore, I withdrrw my resolution.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Withdrawn with the permission of the House.

Resolution No. IV.

BABU RAM DASS (Mover) : This Praja Sabha recommends to the Council that a Telegraph Office may be opened at Kud".

BABU RAM DASS : Sir, Kud is a place on Banihal Cart Road and is famous for the water of the spring. The climate of that place is considered to be very fine and health-giving. A large number of visitors come to this place and they have to experience great inconvenience for want of a Telegraph Office. Either they have to go to Batote by travelling a great distance or they have to go to Chaneni. In view of this inconvenience, I have been sending this resolution for the last three years, but it has never succeeded in the ballot so far. The Telegraphic line passes just near the Dak Bungalow Kud and thus much is not required for the purpose and therefore, I request that a Telegraph Office should necessarily be opened at Kud.

SARDAR HARI SINGH : I support this resolution.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Do you support this resolution?

THE HON'BLE LIEUTENANT COLONEL E. J. D. COLVIN (The Hon'ble Prime Minister) : Yes, he wants to support.

SARDAR HARI SINGH : A large number of visitors come to stay at Kud and they have to send telegrams day and night and for this they have to send some one to Udhampur or Batote and therefore a Telegraph Office is badly needed there. With these words I support this resolution.

LALA SHIV NATH NANDA : My submission with regard to this resolution is that whatever has been stated by my friend about the inconvenience of the visitors is quite correct. Telegraph Office is a great necessity for that place. My submission is that besides there being no telegraph office, there are other difficulties as well. The visitors experience great hardship in finding out residence for themselves. There is no such house where the visitors can conveniently stay.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : There is a fine Bungalow of Raja Sahib Chaneni.

MAJOR GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : That has been constructed by Swamiji.

LALA SHIV NATH NANDA : That has not been built by Raja Sahib and it belongs to Swamiji and he himself lives there and those who are familiar with him can also stay there. There is no doubt that this bungalow has to some extent removed the difficulties of the people, but no house has been built either by the Government or the people where the visitors can take shelter. Therefore, I invite the attention of the Government to this fact and support Babu Ram Das' resolution.

THE HON'BLE MR WAJAHAT HUSSAIN : Sir, this is a resolution which is already receiving the consideration of the Government from sometime. Some time back there was a telegraph office at Chaneni but it was brought under reduction on the proposal of the Retrenchment Committee. It is a fact that there are telegraph offices from Srinagar to Banihal, but there is no telegraph office between Batote and Udhampur. Therefore the Government were already thinking to open a telegraph office at Kud which was resorted to by many visitors from Lahore and many other cities. If it cannot be done in the current year's budget, it will be arranged in the next year. Lala Shiv Nath Nanda has stated that there is no lodging arrangement. It is true that taking into account the number of visitors there is no lodging arrangement. There is one Dak Bungalow and a Rest House of the Public Works Department is also built close by. There are four rooms in the Dak Bungalow while only two rooms in the Rest House. The idea of adding four more rooms to the Dak Bungalow in the next year is under the consideration of the Government. We will do our best so far as His Highness' Government is concerned ; but the Raja Sahib Chaneni should also pay attention to this matter.

MAJOR GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : He ought to construct a Sarai.

THE HON'BLE MR WAJAHAT HUSSAIN : So far as State is concerned a Telegraph Office will be opened and the expenses of the establishment will also be borne. I, therefore, accept this resolution.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Resolution is accepted by the Government.

NOTE.—The members being absent the Resolution Nos. 5, 6, 7, 8, 9, lapsed and were taken to have been withdrawn. [Rule 72 (2)].

The Resolution No, 10 which stood against the name of Sultan Feroz-ud-Din Khan was withdrawn with the permission of the House.

The House then adjourned till next day, Wednesday the 7th October, 1936.

JAMMU AND KASHMIR PRAJA SABHA.

Wednesday, the *7th October 1936.*
22nd Assuj 1993.

The Praja Sabha met in the Praja Sabha Chambers at Rajgarh Palaces at Eleven of the Clock. Mr. President (The Hon'ble Sir Barjor Dalal Kt.) in the Chair.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : (Addressing Moulvi Mohammed Abdullah) Moulvi Sahib! Yesterday you had left before I went out. Perhaps you were in a hurry.

MOULVI MOHAMMED ABDULLAH : No Sir, I staged a walk-out yesterday.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : I was under the impression that you did not know English.

MOULVI MOHAMMED ABDULLAH : Sir, I walked out because the poor are starving while officials receive big salaries.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Perhaps the members of your family receive small salaries. (Laughter)

QUESTIONS AND ANSWERS.

127. LALA SHIV NATH NANDA : Is it a fact that Tulmula Road is still in a bad condition and the pilgrims going over there have to experience great trouble on account of dust?

In the last Srinagar session, it was stated in reply to one of my questions that the road would be metalled very soon, and further it was stated that even funds had been sanctioned for this purpose? (*Vide* question No. 87 on page 63 of Volume III-A Part I of Jammu and Kashmir Praja Sabha Debates).

If the reply be in the affirmative, will the Hon'ble Revenue Minister please state the reasons for not improving it and when will it be metalled?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : This road was metalled last year. No complaint has since been received from any quarter. The road will be improved further by annual repairs.

LALA SHIV NATH NANDA : Sir, may I know what is meant by word 'Pukhta'?

VOICES : Metalled.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Do you want to have a road of marble constructed?

128. MIAN QURBAN AHMED (Kathua :Muslim) : Will the

Hon'ble Finance Minister please state :—

(*a*) Whether only the Srinagar Municipal Committee levies Adda tax on Srinagar lorries and these lorries are not subjected to this tax in Jammu?

(*b*) Is this tax inequitably levied upon the Jammu lorries at both places—Jammu and Srinagar?

(*c*) If the answer to (*a*) and (*b*) be in the affirmative, will Government please exempt the Jammu lorries from liability to the Adda tax at Srinagar just as Srinagar lorries have been exempted from this tax at Jammu?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI (Finance Minister) : (*a*) Srinagar Municipality levies no Adda tax.

(*b*) and (*c*) Do not arise.

129. LALA HANS RAJ : (*a*) Is it a fact that the question of removing the difficulties of the people of Illaqa Mirpur which they have to experience while crossing Gatallian Pattan, has many times been brought to the notice of the Government and that it can be removed either by allowing motor traffic on the Jehlum canal road or by constructing a road along with the railway line from Naurangabad to Gatallian?

(*b*) If the reply be in the affirmative, when do Government intend to get this difficulty removed?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : (*a*) and (*b*) The Punjab Government has replied that they are unable to provide funds from the Reserve in the Central Road Fund and it will not be possible to proceed further with the scheme till March 1937.

(*c*) No.

130. LALA SHIV NATH NANDA : Is it a fact that on account of the recommendation of the Glancy Commission, preference is given to Mohammadans over Hindus in Government services? If the reply be in the affirmative, will Government please state the number of Hindus who have been taken in Government services since 1987?

LALA HAVELI RAM (On behalf of the Hon'ble Prime Minister) : (*a*) Appointments are made on the basis of minimum qualifications recommended by the Glancy Commission and efforts are being made to regulate appointments in such manner as to secure fair representation of all communities in services.

(*b*) The member is referred to the annual statements published by Government which give the information required by him.

LALA SHIV NATH NANDA : I had requested for information from the year 1987 uptil now. That information has not been supplied.

LALA HAVELI RAM (On behalf of the Hon'ble Prime Minister) : You can find it in the Gazette.

LALA SHIV NATH NANDA : I have been referred to the Gazette. But this information is not to be found in it.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You have been told that this has been published in the Gazette. You can see the Gazette. Don't you receive the Gazette?

LALA HAVELI RAM (On behalf of the Hon'ble Prime Minister) : This has been published in the Gazette of October 1st.

LALA SHIV NATH NANDA : I had requested for information from 1987 onwards. This was an ordinary list and could have been supplied easily.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : (to Lala Haveli Ram) In what year's Gazette was it published?

LALA HAVELI RAM : In this year's Gazette, Sir.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) (to Lala Shiv Nath Nanda) : He has stated that this has been published in the Gazette You can see the Gazette.

SARDAR BUDH SINGH (Mirpur-Poonch :Sikh) : Point of order I wanted to ask a supplementary question about question No. 129, but your hurry prevented me from doing so. There should not be so much hurry.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : All-right, you can put the question.

SARDAR BUDH SINGH : I do not want to ask anything now.

131. MOULVI MOHAMMED ABDULLA : (*a*) Will Government please state as to how much cultivable waste land is available in the forests of Kashmir Valley within the demarcation line?

(*b*) If there is such cultivable area ; are Government, in order to extend cultivation, prepared to grant it to the neighbouring zamindars?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) This information is not available nor can even a rough estimate be made. The information could only be obtained by a survey and investigation over the whole of the demarcated forests involving an immense amount of work and time which would not be commensurate with the usefulness of the information asked for.

(*b*) Government is not prepared to part with any area from the demarcated forests, as want of protection of undemarcated areas has already resulted in producing disastrous effects on such areas, particularly in the Kandi Illaqa.

132. SARDAR HARI SINGH : Are Government aware of the fact that 20 per cent. customs duty is levied on leather imported from outside the State while on shoes only 10 per cent. customs duty is levied and that under these conditions the poor shoemakers

of the State are unable to compete with the outside market?

If the reply be in the affirmative, will Government devise such means as would save the poor shoemakers of the State from ruin? If not, why?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI (Finance Minister) : The rate of duty prescribed for India leather manufactured and Indian Boots, Shoes and Gurgabies is the same *viz.* 10 per cent. *vide* items 13 and 30 of Special Schedule.

Does not arise.

SARDAR BUDH SINGH : Is an equal import duty charged for the leather which is imported from Cawnpore?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : All Indian imported leather is charged at the same rate.

133. LALA SHIV NATH NANDA (Srinagar City : Hindu other than Kashmiri Pandits) : Is it a fact that the non-State-subject patients suffering from pthysis are not admitted in the State hospitals?

Is it a fact that everywhere in the world a patient, even if he be an enemy, is accorded brotherly treatment at the time of medical aid (*vide* the "Wattan" dated 28th Har 1993)?

Accordingly in the hospitals at Kasoli every kind of help is afforded on behalf of the Government to a patient from every country, where hundreds of patients from this State have been sent and cured. If the reply be in the affirmative, will the Hon'ble Home Minister please state why liberal treatment is not accorded to the people from outside the State in the State hospitals?

Will the Government remove the anxiety of the people by cancelling this order?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : T. B. patients from outside the State are not refused admission on account of their being non-State-subjects but if the accommodation is not sufficient, State-subjects are of course given preference.

134. SARDAR HARI SINGH : Are Government aware of the fact that Kud Station is situate on a curve where on account of fine and cold water, lorries stop for the convenience of the passangers but there being no lorry-stand, the lorries stand on both sides of the road which is not so wide and therefore there is every apprehension of a collision? Are Government prepared to arrange for a lorry-stand by widening the road at this place? If so, when? If not, why?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) Yes.

(*b*) On a reference being made to the Divisional Engineer, the work of widening the road has already been taken in hand.

135. MOULVI MOHAMMED ABDULLA (Shah Hamdan Sri-

nagar City :Muslim) : Are Government aware that the indebtedness of the peasants of villages and of labourers is ever on the increase as has been remarked in the official report regarding the census of 1931, which was referred to in his speech by Mr. M. A. Beg (*vide* page 90 of Volume III-A, Part III of Jammu and Kashmir Praja Sabha Debates)

LALA HAVELI RAM (On behalf of the Hon'ble Prime Minister) : As the Praja Sabha Sad Sahib has not given the date on which the speech referred to was made by Mr. M. A. Beg, it has not been possible to trace the reference quoted. There appears to be no such remark in the Census Report of 1931.

MOULVI MOHAMMED ABDULLA : Sir, my question is whether or not the indebtedness of peasants and labourers is increasing?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You had quoted the Census Report. You say "as is remarked in the Census Report of 1931", but even in the Census Report there is no such quotation, how can a reply be given?

MOULVI MOHAMMED ABDULLA : The real question is whether the Government is aware that indebtedness is increasing as usual.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : This is a matter of opinion and the Rules about a question lay down that :—

> "It shall not ask for an expression of opinion."
> Rule 34 (5).

136. SARDAR HARI SINGH : The dirty water of the shops of butchers and sweatmeat sellers etc. at Kud remains collected in the road drain whereby stink is spread all round. Are Government prepared to construct a pucca drain in this small area so that the dirty water may not get collected there? If so, when? If not, why?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : The Divisional Engineer Udhampur Division is being addressed in the matter.

SARDAR HARI SINGH : Will this correspondence be completed this season?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : That will depend upon the conditions.

137. LALA SHIV NATH NANDA : Is it a fact that the zamindars of Kotli Monatrlan have started a private school since 12th Assuj 1991 and that 33 boys and eight girls are receiving education in this school?

Is it also a fact that the teacher of this school submitted two applications to the officer concerned that after inspecting the school, suitable aid may be provided but nobody paid any heed to these applications? (*Vide* "the Wattan" dated the 9th January 1936). If the reply be in affirmative, will the Hon'ble Home Minister

please state as to what are the reasons for being inactive in this respect?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : Two applications were received from the teacher, but they were not considered as no grant-in-aid was being given then. If an application is received now suitable action will be taken.

138. SARDAR HARI SINGH : The water of the spring at Kud is sweet, pure and fine and it is on this spring that the well-being of the people of the valley and the Kud station depends, but due to there being set up a hotel in its vicinity and owing to the increased traffic, there is every apprehension that if proper care is not taken, the water of the spring may be contaminated. Are Government prepared, in view of the welfare of the public, to make such arrangements as to prevent people from polluting the place around the spring by nightsoil and urine etc?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : The matter is receiving consideration. The area behind the spring will be enclosed when funds, which are being arranged are available.

139. MOULVI MOHAMMED ABDULLA : (*a*) Have Government collected figures to find out the number of those persons who cannot find employment and are consequently starving?

(*b*) If the answer to (*a*) be in the negative, will Government collect such figures and place them on the table of the House?

LALA HAVELI RAM (On behalf of the Hon'ble Prime Minister) : (*a*) No.

(*b*) No. The Government has already set up a commission to enquire into the causes of unemployment and suggest ways and means for relieving it and the member may await its report.

140. SARDAR HARI SINGH : Are Government aware of the fact that the population of the Valley of Kud is increasing day by day and that major portion of the land adjacent to the present road has been sold whereupon buildings are also being constructed? If the answer be in the affirmative, are Government prepared to construct another road in this valley so that on the sides of the new road, buildings may be constructed whereby it may become a pleasant health-resort and the people of Jagir of Chaneni may become prosperous and those of Jammu may get more convenience?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : *1st part.*—Yes.

2nd part.—The Illaqa finances do not permit of it at present.

141. LALA SHIV NATH NANDA : Is it a fact that the Hon'ble Home Minister inspected the technical school at Jammu in the end of Baisakh 1993 and realized the bad condition and mismanagement of the school?

If the reply be in the affirmative, will the Hon'ble Home

Minister please state what measures have been adopted for the improvement of this school? If the reply be in the negative, what are the reasons for remaining inactive for such a long time?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : Yes, I paid a surprize visit. I did not notice any serious defect.

142. MOULVI MOHAMMED ABDULLA : (*a*) Is it a fact that for the well-being of the peasantry, the Panchayat system and the rural reconstruction scheme have been regarded as useful as such a system prevails in British India and the Baroda and Mysore States?

(*b*) If the answer to (*a*) be in the affirmative, is it a fact that to carry out the scheme, the Kashmir Government have appointed a Panchayat Officer after equipping him with training?

If the answer to (*b*) be in the affirmative, will Government please state what sum has so far been spent on training etc? What proposals the Panchayat Officer has submitted to the Government and how far this movement has succeeded?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) Yes.

(*b*) Yes.

(*c*) A sum of Rs. 7,000 has been spent on training of the Panchayat Officer and four Assistants.

The Panchayat Officer has submitted proposals for extending the scope of Rural Reconstruction Work. Five Assistants have already been sanctioned and the proposal of appointing one Superintendent with necessary establishment is under consideration. This activity is still in its infancy.

MOULVI MOHAMMED ABDULLA : Sir, I wanted to know what proposals have been submitted by the Panchayat Officer. I have received no reply to that.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal K.) : All right. You will be informed later on about the different proposals that the Panchayat Officer has made.

143. SUBEDAR KHAN MOHAMMED KHAN (Bagh Sudhnuti Poonch :Muslim) : (*a*) Is it a fact that the bridge at Lachman Pattan is yielding an annual income of nearly Rs. 1,30,000?

(*b*) Is it a fact that on account of washing away of this bridge the State suffers a great financial loss every year?

(*c*) Is it also a fact that with the washing away of this bridge the prices of all commodities go up throughout the Poonch Illaqa?

(*d*) Is it also a fact that by the washing away of this bridge, the people of Tehsils Sudhnuti and Bagh have to starve?

(*e*) Is it also a fact that on account of the washing away of this bridge, the military soldiers are often detained? If the reply to the above be in the affirmative, why such an important bridge has not been made pacca?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) The average annual income is about Rs. 1,22,569.

(*b*) Yes.

(*c*) The Poonch trade has naturally been affected to a certain extent, but it has been counter-balanced by the opening up of the Mirpur-Kotli-Poonch road.

(*d*) No, although they suffer to a certain extent owing to dislocation of communications.

(*e*) *1st part.*—Yes, to some extent : but they can follow the other route easily.

2nd part.—The matter is under correspondence.

SUBEDAR KHAN MOHAMMED KHAN : Correspondence is going on about this bridge. When will the matter be settled? This bridge is very important. It has invariably been stated for the last three years that the correspondence is going on. The public is labouring under great inconvenience.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The Wazir has heard it. (The Wazir will kindly note it).

144. SARDAR HARI SINGH : Are Government aware that in Katernal Garh (Ali Begh) a Khalsa Middle School has been established for the last five or six years where students of every caste and creed receive education and the remarks of the Inspecting Officers are also excellent? But so far it is receiving the grant of the original primary school only though the expenditure has much increased?

If the reply be in the affirmative, will Government increase the amount of grant-in-aid of this school like other middle schools? If not, why?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : Yes. Increase in grants-in-aid are to be proposed to be given this year and the case of the school will be considered.

SARDAR HARI SINGH : When?

THE HON'BLE MR. WAJAHAT HUSSAIN : This year.

145. LALA SHIV NATH NANDA : Is it a fact that the arrears of land-revenue and *abiana* in Jammu Wazarat is Rs. 40,000 and Rs. 90,000 respectively?

Is it also a fact that in the last Jammu Session in reply to my question S. No. 577 (Q D. No 498) asked on 4th April 1936, as to why such a large sum of land-revenue and *abiana* was in arrears and that who is responsible for its realization an assurance was given that arrangements for its realization had been made?

If the reply be in the affirmative, will the Hon'ble Revenue Minister please state whether it was not improper on the part of the Government that such a large sum should remain in arrears, what amount has been realized in the last six months and for future

what measures have been adopted for speedy realization of this big sum?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) · No. there is no item of 40,000 as arrears of land-revenue nor was any querry about this demand made by the member Praja Sabha in the last session. As regards *abiana*, it was intimated that arrears to the extent of Rs. 90,000 (Rs. 40,000 from various Departments and Rs. 50,000 from zamindars) were outstanding when the Praja Sabha was last in session at Jammu in March-April 1936. Out of this sum, Rs. 9,449 have since been written-off and Rs. 12,568 have since been realized. For the balance, necessary steps are being taken by the Revenue Department.

These arrears cover a large number of years and although the Revenue officers concerned were guilty of slackness, yet it will involve lengthy correspondence to locate responsibility.

The Land Revenue Regulation makes ample provision for effecting such recoveries and recourse is being had to the measures provided for in this Regulation.

SARDAR BUDH SINGH : Does it mean that they cannot pay or that the receiving officers are responsible for non-realization.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : I have not got this information with me here just now.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You have asked whose fault it is? Therefore no reply can be given.

SARDAR BUDH SINGH : Sir, I do not talk of anybody's fault. They cannot pay at all.

146. MIRZA M. A. BEG (Anantnag :Muslim) : The Hon'ble Home Minister stated in reply to question Q. D. No. 364 (S. No. 294) asked on 23rd March 1936 in the Jammu Session that the question of opening a middle school in Illaqa Barang Anantnag had been considered in the past and would also be considered in future? If it has passed through that stage of consideration, what decision has been arrived at in regard to the opening of a middle school in the said Illaqa?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : No middle school was opened in the Illaqa Brang this year.

MIRZA M. A. BEG : Has the stage of consideration been passed? Why was not a middle school opened this year?

THE HON'BLE MR. WAJAHAT HUSSAIN : Schools have been opened at other places where the need was greater.

147. MOULVI MOHAMMED ABDULLA : Will Government state what sum has been spent to put the scheme of rural reconstruction into practice in the two centres of the State—Jammu and Kashmir and what has been the result so far?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue

Minister) : Training expenses	... 7,000
Expenditure 1992-93	... 13,700
Total	... 20,700

It is too early yet to gauge the result.

148. CHOUDHARI ABDULLAH KHAN (Jammu Wazarat :Muslim) : (*a*) Will Government please state whether there is any order of the Government regarding the provision of rent-free house for a village school at the time of its being sanctioned or opened or whether this practice has been set up by the department of its own accord?

(*b*) If this order has been passed by the Government when and why was it passed and if this hardship has originated from some subordinate office, are Government prepared to remove it when it has the effect of depriving the poor people who cannot afford to provide a rent-free house for a school, of educational facilities, however deserving they might be in this respect?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) No such order has been passed by Government or the Department.

(*b*) The question does not arise.

149. LALA RAM LAL (Poonch :Hindu) : (*a*) Is it a fact that in the Court of Sub-judge at Rawalkot there is no place where the litigants, the petition-writers and the pleaders can take shelter to protect themselves from sun and rain?

(*b*) If the reply to (*a*) be in the affirmative, it may be stated as to whether the Poonch Government in view of this inconvenience to the public is prepared to construct a shed and a bar room outside this court or not? If not, the reasons therefor may please be stated?

WAZIR FEROZ CHAND (Wazir of Poonch on behalf of the Hon'ble Rai Bahadur Pandit Anant Ram (Revenue Minister) : (*a*) Yes.

(*b*) Orders for the construction of a shed have already been issued.

As regards the bar room the matter is under consideration.

150. SARDAR FATEH MOHAMMED KHAN (Haveli Mendher Poonch :Muslim) : (*a*) Is it a fact that on pressing demand by the Muslims of Poonch and consideration of their backwardness in education, Sri Raja Sahib Bahadur of Poonch accepted to grant scholarships to Muslim students for the training of Agriculture, for the posts of Veterinary Assistants, Draftsmen etc?

(*b*) If the answer to part (*a*) be in the affirmative why Muslim students have not been trained so far inspite of the repeated demands in this behalf?

(*c*) Are the Poonch authorities in view of the rights of the Muslims and their backwardness, prepared to get deserving Muslim

students trained?

WAZIR FEROZ CHAND (Wazir of Poonch on behalf of the Hon'ble Revenue Minister) : (*a*) Raja Sahib Poonch was pleased to sanction scholarships to Muslim students for Veterinary and Draftmen's training. No scholarship was ever sanctioned for training in Agriculture.

(*b*) The persons selected for the Veterinary and Draftsman's training did not avail of the opportunity of their own accord and subsequently the stipends were brought under reduction on account of financial stringency.

(*c*) The question of selecting a Muslim will be considered when the administration requires to send any candidate for such training.

SARDAR FATEH MOHAMMED KHAN : Did not Mohammed Sharif, Sultan Mohammed and Mukhtar Hussain apply in time for the post of a Veterinary Assistant? In reply to question No. 6 it has been stated that Raja Sahib had sanctioned scholarships but that the persons who were selected for award did not avail of the opportunity. I want to ask whether these three persons had not applied for the post of a Assistant?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) (To Wazir Feroz Chand) : You supply information about it.

(To the Member) : It has been noted. You will be provided with the information.

SUBEDAR FATEH MOHAMMED KHAN : Sir, the post is vacant these days.

WAZIR FEROZ CHAND : You will be given a reply.

151. MIRZA M. A. BEG : It is learnt that the Anantnag Police has submitted a proposal for dealing with Mochis suspected of cattle stealing and the proposal was under consideration? Will Government please state what action has been taken on this proposal?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : No such proposal has been submitted to the Government. In view, however, of the existing situation with regard to cattle stealing in certain Tehsils of the Kashmir Province information is being collected regarding this form of crime with a view to ascertaining whether special measures are necessary and practicable.

152. LALA RAM LAL (Poonch :Hindu) : (*a*) Is it a fact that in accordance with the law in force in the State, every person is authorized to alienate his immovable property without obtaining permission from the Revenue Department?

(*b*) If the reply to this be in the affirmative, it may please be stated as to why in Poonch proper the permission from the Revenue Department is necessary for alienating one's immovable property? Reasons may please be stated in detail?

WAZIR FEROZ CHAND (Wazir of Poonch on behalf of the Hon'ble Revenue Minister) : (*a*) Yes, with the exception of those on Wasidari Lands.

(*b*) The practice referred to in the question is followed only with regard to alienation of immovable property situated within *lal lakeer* of the Poonch town and the question is already receiving consideration.

LALA RAM LAL : I have submitted that if according to law every one can transfer his immovable property, why permission should have to be sought from the Revenue Department in Poonch proper for the transfer of immovable property. In the reply it has been said that this is the practice. My question is what significance has practice when compared to law.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) :Permission for the transfer of immovable property has to be sought here also.

LALA RAM LAL : I requested to be told what the law is? If the law is not like that why is it laid down as necessary in Poonch proper to seek permission first.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) (To Wazir Poonch) : What does Lala Ram Lal say? Is the securing of a permission laid down as necessary in law?

WAZIR FEROZ CHAND : This is a Settlement law.

LALA RAM LAL : All Settlement laws have been cancelled after 1985.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : This is a legal point.

LALA RAM LAL : It is wonder that people living outside the city can sell without having restriction while the townsmen have necessarily to seek for permission.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You don't listen to me. How can you carry on this discussion here. You can send an application to the Hon'ble Prime Minister about it and request for a similar law there *i. e.* if it is not necessary to seek for permission outside Poonch, it should not be necessary to seek for it in Poonch also.

153. SARDAR FATEH MOHAMMED KHAN : (*a*) Is it a fact that the post of a Veterinary Assistant has been ear-marked for Muslim upto this time?

(*b*) Is this also a fact that the representation of Muslim employees in the Medical Department is admittedly low?

(*c*) Is this also a fact that Hindu has been appointed to the post which has fallen vacant on the death of Mir Fayaz Ali of Veterinary Assistant?

(*d*) If the answer to the above parts be in the affirmative, will the Poonch authorities keeping in view the paucity of Muslim

representation in services, discharge the present Veterinary Assistant and get a Muslim lent officer from the Kashmir Government?

WAZIR FEROZ CHAND (Wazir of Poonch on behalf of the Hon'ble Revenue Minister) : (*a*) No.

(*b*) No. Out of 58 employees of the Medical Department, 26 are Muslims.

(*c*) The appointment of a Hindu on this post was sanctioned by Raja Sahib Poonch as he was the only qualified hereditary State-subject who had applied for the post. He has however refused to join on the terms sanctioned and the matter is under consideration.

(*d*) The question does not arise.

SARDAR FATEH MOHAMMED KHAN : It has been stated in reply to part (*b*) of my question that the number of Muslim employees is twenty-six. I assure you it is not twenty-six.

WAZIR FEROZ CHAND : It is twenty-six.

SARDAR FATEH MOHAMMED KHAN : There names may kindly be stated.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : This is a discussion. You can ask another question as to why wrong information has been given.

SARDAR FATEH MOHAMMED KHAN : The next question is, which of the candidates will be sent for training when the post is vacant? Why is not some Muslim sent for training?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You do not at all listen to me. How do you know what I want to say.

SARDAR FATEH MOHAMMED KHAN : Sir, please let me know what you have to say.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Please hear : There is no mention of any training in your question. The question reads :—

> "Will the Poonch authorities keeping in view the paucity of Muslim representation in services discharge the present Veterinary Assistant and get a Muslim lent officer from Kashmir Government".

You have made no mention of training in your question. You ask for the appointment of a Muslim.

154. CHOUDHARI ABDULLA KHAN : (*a*) Is it a fact that the Government charges *abiana* for a mixed crop at the rate fixed for the superior kind ignoring the inferior one, as has been stated by the Government in reply to Mian Qurban Ahmed's question Q. D. No. 94 put in the last Srinagar Session (*vide* question S. No. 25 on page 18 of Volume III-A, Part I of the Jammu and Kashmir Praja Sabha). If so, why is *abiana* charged for tabacco which is sown in the crop of sugarcane when both these kinds are sown at one and the same time?

THE HONB'LE MR. WAJAHAT HUSSAIN (Home Minister) : Yes. Sugarcane and tobacco are not sown at one and the same time. The former is sown a month earlier than the latter. They do not therefore come in the category of mixed crop.

CHOUDHARI ABDULLA KHAN : The information supplied to you by the Subordinate Staff is wrong. Tabacco and sugarcane are sown at one and the same time.

THE HON'BLE MR. WAJAHAT HUSSAIN : If it is so, an enquiry will be made.

155. LALA RAM LAL (Poonch :Hindu) : (*a*) Will it please be stated whether the Poonch authorities like Jammu and Kashmir Government are prepared to appoint a Commission for the prevention of bribery?

(*b*) If the reply to (*a*) be in the affirmative, it may please be stated as to when will the Commission be appointed? If the reply to (*a*) be in the negative, the reasons for it may please be stated in detail?

WAZIR FEROZ CHAND (Wazir of poonch on behalf of the Hon'ble Revenue Minister) : (*a*) and (*b*) There does not seem any necessity of setting up a separate Commission for Poonch for this purpose because the recommendations that will be made by the Commission appointed by His Highness' Government will serve as a guide for the Poonch Administration.

LALA RAM LAL : Is there no bribery there?

Does the Government not feel this trouble?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : There is bribery everywhere.

156. SARDAR FATEH MOHAMMED KHAN : (*a*) Is it a fact that the Muslims of Poonch had requested for deputing a Muslim for the training of Co-operative Department?

(*b*) Is this also a fact that, on this legitimate and important demand, the Jammu and Kashmir Government ordered that a Muslim should be got trained in this line?

(*c*) Is this also a fact that the late Wazir Poonch, in compliance with the orders of the Jammu and Kashmir Government submitted the proposal to the Sri Raja Sahib Bahadur of Poonch for getting a deserving Muslim trained?

(*d*) Is this also a fact that the present Assistant Registrar is a Mahajan by caste, and admittedly belongs to a Mahajan money-lending class?

(*e*) If the answer to the above parts be in the affirmative, will it be stated why this has been done against the feelings of the Muslim public and in contravention of the orders of the Jammu and Kashmir Government? Who is responsible for this evident non-compliance? Are the Poonch authorities prepared now, to take a practical step in connection with this important demand, in compli-

ance with the orders of the Jammu and Kashmir Government?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) Yes, but after the present incumbent had returned after completing his training.

(*b*) No.

(*c*) The late Wazir submitted a proposal for deputing Khawaja Abdul Ahad Inspector for further training. As already stated in (*b*) above, there were no orders from the parent State.

(*d*) Yes.

(*e*) In view of answer to (*a*) and (*b*) the question does not arise. It may however be mentioned for the information of the member Praja Sabha that keeping in view the interests of agriculturists, a Muslim graduate who belongs to an Agricultural class has recently been appointed as Second Inspector.

SARDAR FATEH MOHAMMED KHAN : In reply to part (*b*) of my question it has been stated that the Kashmir Darbar has not ordered the Poonch Administration to send any Muslim for training.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You have said that the Kashmir Government has ordered that some Muslim be sent for training. But they say that no such orders have been issued.

SARDAR FATEH MOHAMMED KHAN : The late Wazir Syed Hussain Khan Sahib had certainly such orders from Kashmir.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You can put a separate question as to why wrong information was supplied to you. They say that they have not had any such orders.

157. CHOUDHARI ABDULLA KHAN : (*a*) Will Government please state what is the number of village primary schools in the Mufassils of Tehsil Jammu and for how many of them, houses have been provided on rent and where?

(*b*) How many of them have been housed in rent-free houses and where and why has this differenciation been made?

(*c*) Are Government prepared to grant rent for the houses of all such schools and treat them in a uniform manner? If not, why?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : (*a*) There are 23 village primary schools in Jammu Tehsil. Of these, only 3 are located in rent-free houses.

(*b*) The rent-free houses are at Dansal, Sanjwan and Ghau Manhasan. The villagers have given houses free of rent of their own accord.

(*c*) No.

MIRZA M. A BEG : If they demand rent now, can they get it?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : On receipt of such applications we will certainly pay the rent.

158. LALA RAM LAL (Poonch :Hindu) : (*a*) Will Govern-

ment please state as to which persons were arrested by the Police on the charge of setting fire to a mosque at Hari Gehl in Illaqa Poonch, and did any one of them make a confession before the Magistrate?

(*b*) If the reply to the last part of (*a*) be in the affirmative, it may please be stated as to why those accused persons were not challaned in the court? The reasons for it may be stated in detail?

WAZIR FEROZ CHAND (Wazir Poonch) : (*a*) Sheikh Abdulla, Mistri Faiz Elahi and Ashraff were arrested by the Police on the charge of setting fire to the mosque at Hari Gehl. Of the accused, Ashraff made confession of the crime and Sheikh Abdulla has since died.

(*b*) The case is still under investigation. Sufficient evidence for challaning the accused has not so far come forth.

LALA RAM LAL : Since when is it under enquiry?

WAZIR FEROZ CHAND : Ever since the incident took place.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : I did not know that the matter was under consideration. I knew that it was a court case. I would have said that no reply will be given.

159. SARDAR FATEH MOHAMMAD KHAN : (*a*) Is it a fact that in 1989-90 Sri Raja Sahib Bahadur, in reply to the address presented to him in the High School of Poonch, promised to open a Government Girls Middle School in Poonch proper?

(*b*) If the answer to part (*a*) be in the affirmative, are Poonch authorities, with a view to fulfil the promise, prepared to encourage female education by opening a Girls Middle School at Government expenses?

WAZIR FEROZ CHAND : (*a*) The Raja Sahib Poonch announced that question of starting an Illaqa Girls School was receiving his consideration.

(*b*) The matter is under the consideration of the Administration and a Girls School will be opened when financial condition improves. At present, however, Rs. 50, 40 and 30 are given as grants-in-aid to the Hindu, Muslim and Sikh Girls Schools.

160. SUBEDAR KHAN MOHAMMAD KHAN : Is it a fact that the University Commission has sanctioned the high school at Palandri provisionally for a period of three years which is about to terminate very soon? If the reply be in the affirmative, have suitable changes in the staff and addition to the buildings been made and have Science, Arabic and Drawing courses been introduced in accordance with the recommendation of the Commission? If not, who will answer for this on the visiting of the Commission in the coming year? If the school is not approved of who will be responsible for it?

WAZIR FEROZ CHAND : *1st part.*—Yes.

2nd part.—The former Headmaster has been transferred and the Library books provided as recommended by the University Commission. The question of the extension of the building is already under consideration. The introduction of Science, Arabic and Drawing subjects in the school curriculum is not essential so far as its recognition is concerned, nor has the University Commission made the introduction of these subjects a condition precedent for that purpose.

3rd part.—In view of the above this part does not arise.

SUBEDAR KHAN MOHAMMAD KHAN : My question was when would the subjects Drawing, Science and Arabic be started?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : He says when permission is received from the University.

SUBEDAR KHAN MOHAMMAD KHAN : When will the permission be secured? We have been crying for the last ten years.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : He says that the permission of the University should first be secured.

SUBEDAR KHAN MOHAMMAD KHAN : This school is in a locality wherein the population consists of military people. We had this school opened after great efforts in the time of Major General Janak Singh Ji. Our boys would be put to a great loss if arrangements for the teaching of Science etc. are not made there. Our boys stand in very great need of instructions in Science etc. for entrance into Military Service.

WAZIR FEROZ CHAND : There are only two or three boys there. I had convinced them and told them how it could be possible to spend so much for the education of a boy or two. I am not prepared to incur so much expenditure for the eduction of one boy. If the number of students is sufficient it is possible. Moreover, Science, Drawing and Arabic are taught in the Poonch High School.

SUBEDAR KHAN MOHAMMAD KHAN : Our boys cannot receive education in the city after coming from such distances. Nor can we bear the city expenses. Three hundred fifty students read there and eight students are in the High School. It is not one or two students that read there.

161. LALA RAM LAL : (*a*) Will the Government please state as to whether the neighbouring parts of Plandari High School are mostly inhabited by Hindus?

(*b*) If the answer to part (*a*) of the question be in the affirmative, will Government please give detailed reasons for not providing this school with the post of a Hindi teacher and thus depriving the Hindu students of studying Hindi in spite of the fact that many requests have been made and the Hindu students are desirous of learning Hindi?

WAZIR FEROZ CHAND (Wazir of Poonch on behalf of

the Hon'ble Revenue Minister) : (*a*) No.

(*b*) The present number of Hindu students in Plandri High School is not sufficient enough for introduction of Hindi there.

LALA RAM LAL : May I know what number is deemed sufficient?

WAZIR FEROZ CHAND : It will be started when the education authorities feel that there is need for it and the people want it.

LALA RAM LAL : The people want it I say it on their behalf.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : When Wazir Sahib goes there, he will bear it in mind.

162. PANDIT AMAR NATH KAK (Srinagar City :Hindu) : (*a*) Will Hon'ble the Prime Minister be pleased to state whether there are any rules sanctioned by the Government for regulating seniority as between the superior and subordinate offices of different departments by which the officers belonging to superior and subordinate offices of the same department are regarded as separate units for the purposes of seniority?

(*b*) If there are no such rules, is there any practice in vogue in any department by which promotions are granted to the officers of the superior offices ignoring the claims of the senior officers working in subordinate offices?

(*c*) With special reference to the Police Department it may be stated how many such promotions were granted in the year 1992-93?

(*d*) If so, will the Government take necessary steps for remedying this state of affairs?

LALA HAVELI RAM (On behalf of the Hon'ble Prime Minister) : (*a*) There are no Government rules on the subject.

(*b*) Government is not aware of any such practice prevailing in any department of the State, but if the member quotes instances in which the practice referred to by him exists, enquiry will be made into the matter with a view to adopting a uniform procedure in all departments of the State?

(*c*) None.

(*d*) Reply to part (*b*) may be referred to.

163. CHOUDHARI ABDULLA KHAN : Will Government please state as to what is the entry at present in records regarding the private lands of His late Highness the Maharaja Bahadur and since how long these lands have been amalgamated with the State?

(*b*) Are these lands ever since their amalgamation with the State being treated in the same manner as other lands in the State? If so, how? If not, why?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) The private lands of His late Highness the Maharaja Bahadur were amalgamated with the State in 1984 and these lands

are entered as Khalsa, the tenants being entered as *Mauroosi*, *Ghairmauroosi* or *Bila-sift* as the case may be.

(*b*) The question of determination of the status of the tenants is being investigated.

SARDAR BUDH SINGH : It has been ordered that all the occupancy tenants who are in the State should be granted proprietary rights. Why has not this order then been enforced in the area which was previously in the Private but which belongs to the State now.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Because the ownership rested previously in His late Highness and now the area has been amalgamated with the State. For purposes of ownership this area is entered as Khalas Sarkar. As for the position of these occupancy tenants, an enquiry is afoot and steps will be taken according to its findings.

SARDAR BUDH SINGH : When it has been ordered that all Khalsa lands should be entered in the name of occupancy tenants as held under proprietary rights, why is not then this order being enforced in such areas. There is nothing like a private area now as all areas belong to the State and proprietary rights have been granted with respect to all such areas.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The tenants of the "Private" are governed by a different law. Separate private laws apply to them. His Highness has been pleased to command that those people who have been granted lands for cultivation shall be "*Khud Kasht*" occupancy tenants. An enquiry is being made now. Any one can give proof of his rights by showing that he holds such a position. You have no knowledge of the laws of the "Private".

164. PANDIT AMAR NATH KAK : (*a*) Will the Hon'ble Home Minister be pleased to state what the number of Assistant Sub-Inspectors recruited direct in Kashmir Police during the past three years was?

(*b*) How many of them were hereditary State-subjects and how many were non-hereditary State-subjects?

(*c*) How many of them were Hindus and how many were Muslims?

(*d*) Was any selection for the posts of Assistant Sub-Inspectors made at Jammu in the month of April 1936? If so, was one Prem Nath Fotedar son of a retired Inspector of Police called for interview, who had been declared fit for the post of Senior Superintendent of Police Kashmir also? Was he selected for the post?

(*e*) How many candidates were selected at that time *i e*. in April 1936? What were the reasons for their selection and for ignoring the claims of the said Prem Nath Fotedar?

(*f*) Has one out of the three candidates thus selected been

discharged on the grounds that he turned out to be a non-hereditary State-subject? Has another candidate also been discharged now? If so, on what ground?

(*g*) Does the said Prem Nath Fotedar belong to an agricultural class? If so, what were the reasons for ignoring his claims at the time of last selection?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : (*a*) The number of Assistant Sub-Inspectors recruited direct in Jammu and Kashmir Police during the past three years was 5.

(*b*) All were hereditary State-subjects.

(*c*) Of the directly recruited Assistant Sub-Inspectors 3 were Muslims, 1 Sikh and 1 Hindu.

(*d*) A selection was made for the posts of Assistant Sub-Inspectors at Jammu in April 1936. Pandit Prem Nath Fotedar son of a retired Inspector was called for interview but he was not selected for the post.

(*e*) Four candidates were selected at the time and they were selected in preference to Pandit Prem Nath Fotedar because they appeared more fitted for Executive Police Service.

(*f*) One of the candidates was discharged not on the ground of his not being a non-hereditary State-subject but due to his having been detected by the Training School Authorities copying from a page of the Notes during the Police Rules Examination He was further involved in a case (F. I. R. No. 96 dated 18th January 1936) for having issued a cheque to a Lahore firm, having no funds to meet it. Another candidate was discharged for failing in first quarterly test.

(*g*) It is not known whether Pandit Prem Nath Fotedar belongs to an agricultural class. As for the reasons of his not having been selected for the post of Assistant Sub-Inspector, please refer to reply to (*e*).

PANDIT AMAR NATH KAK : So, these were the reasons for preference in the case of those two candidates.

THE HON'BLE MR. WAJAHAT HUSSAIN : These points arose afterwards.

165. LALA RAM LAL : (*a*) Is it a fact that Pandit Ram Rattan, M. A., *ex*-Wazir Poonch when he was acting as Wazir Poonch was getting travelling allowance according to the Punjab Civil Service Regulation?

(*b*) If the answer to (*a*) be in the affirmative, it may please be stated whether he received any order from the Kashmir Government to receive travelling allowance according to Jammu and Kashmir Civil Service Regulation?

(*c*) If the answer to (*b*) be in the affirmative, it may please be stated as to what action has been taken against him by the Jammu and Kashmir Government for non-compliance of the orders?

If no action has been taken what are the reasons therefor and are the Kashmir Government now prepared to take any action against him? If not, what are the reasons therefor?

WAZIR FEROZ CHAND (Wazir of Poonch on behalf of the Hon'ble Revenue Minister) : (*a*) Yes.

(*b*) Yes.

(*c*) He was allowed T. A. according to the Civil Service Regulations under orders of Raja Sahib Poonch. The matter is already under correspondence.

LALA RAM LAL : I have asked if any action was taken for contravention of orders.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : If the man belongs to Poonch how can the Jammu and Kashmir Government take action.

166. CHOUDHARI ABDULLA KHAN : (*a*) Is it a fact that while constructing bridges over the canal or distributaries in Tehsil Ranbirsinghpura, no regard has been paid to the old routes which were like roads and on which bullock carts used to ply between different villages?

(*b*) Is this also a fact that plying of bullock carts etc. is strictly prohibited on the roads by the side of the canal or distributaries?

(*c*) If the answer be in the affirmative, will Government, in order to provide facilities to zamindars, please repair the bridges over the distributaries falling in the old routes and broaden them wherever necessary?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : (*a*) No. On the other hand foot and road bridges were constructed with due regard to the foot paths and roads that existed at the time of the construction of the canal.

(*b*) Yes.

(*c*) The bridges are already sufficiently wide. Repairs are being done as necessity arises.

167. SARDAR FATEH MOHAMMAD KHAN : (*a*) Will Government please state whether a Middle School was opened at Dharmsal Mendhar in 1989 on request of both Hindus and Muslims of Tehsil Mendhar?

(*b*) If the answer to part (*a*) be in the affirmative, why have not the second and third middle classes been started there so far and why have no arrangements been made for the building of the school?

(*c*) Will the Poonch authorities, by way of showing kindness to the subjects and in order to remove illiteracy of the people of this backward tehsil, take immediate steps to accede to the above request and oblige?

WAZIR FEROZ CHAND (Wazir of Poonch on behalf of the Hon'ble Revenue Minister) : (*a*) Yes, a lower middle school.

(*b*) For lack of accommodation and financial stringency. The question of acquiring land for the purpose is receiving consideration.

(*c*) A provision has been made in the next budget for construction of the building and also increasing the number of teachers there.

168. PANDIT AMAR NATH KAK : Will the Hon'ble Home Minister be pleased to state :—

(*a*) Whether it is a fact that in the year 1925 a Circular No. 3056/P, dated 28th November 1925 was issued by the then P. W. Minister, R. B. Makhan Lal that no subordinate who had not qualified himself in Outsider Examination at Roorkee be promoted to Overseers grade?

(*b*) Whether it is a fact that no such examination was held by the institute at Roorkee and the students from Jammu and Kashmir were deputed and trained at Rasul Institute and that out of the students thus deputed some acquired training there at their own expenses and some were granted stipends by the Government?

(c) Whether it is a fact that His Highness' Government agreed that the students trained at Rasul Institute would be taken in State service as Overseers on completion of their training there?

(*d*) How many students were then trained there, how many were taken in State service, on what posts and on what pay?

(*e*) Whether it is a fact that no such student was taken in service as an Overseer?

(*f*) Whether it is a fact that persons not belonging to the State and trained in un-recognized Institutions at Ludhiana and Lucknow or by correspondence courses only were directly appointed as Overseers during the last three years and the claims of the persons trained in Rasul Institute were ignored?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : (*a*) In the year 1925 a Circular No 3056/P, dated 28th November 1925 was issued by the then P. W. Minister, R. B. Makhan Lal directing that in future unqualified Suboverseers were not to be promoted to the rank of Overseer unless they passed the Outsider Examination of the Roorkee College.

(*b*) It is not known whether such an examination was or was not held. The reply to the latter part of the question is in the negative.

(*c*) No Government stipendiary was sent to Rasul before 1929 but Pandit Piara Lal Ranka, Pandit Niranjan Nath and

Pandit Gobind Ji Bhan joined the Rasul Institute at their own expense. To no one of them was any promise of employment in the State or of promotion was given. In 1929, Pandit Prem Nath Dass, Pandit Dina Nath Ganjoo and Pandit Kashi Nath joined Rasul Institute at their own expense and received the promise of employment in the State. Pandit Kashi Nath failed in the first attempt and the promise of employment was withdrawn in his case. Again in 1931, Pandit Salig Ram Koul, Pandit Radha Kishen and Pandit Ram Krishen Tiku were sent by the State to the Rasul Institute and were awarded scholarships at the rate of Rs. 50 per mensem. Two others also *viz*. Lala Girdhari Lal and Kanhaya Lal were sent to the institute but no scholarship was given to them. The former three were given promise of employment ; and it was made clear to the latter two that no such promise was being given to them In 1933 Pandit Kashi Nath Koul's application was forwarded to the institute, but he was given no scholarship and no promise.

(*d*) Students sent for training at Rasul in 1929 and 1931 who were given guarantee for their appointment after training, have since been taken in State service on posts and pay as noted against each :--

				Rs.
P. Prem Nath Dass,	Sub-overseer	1st grade	...	69
P. Dina Nath Ganjoo	,,	,,	...	69
P. Salig Ram Koul	,,	2nd grade	...	50
P. Ram Krishen Tiku	,,	,,	...	50
P. Radha Kishen	,,	,,	...	50

Besides, Pandit Gobind Ji Bhan holds the post of a 1st grade Suboverseer on Rs. 75 and Pandit Niranjan Nath that of a Computor on Rs. 103 per mensem. Lala Girdhari Lal has also been appointed as a 3rd grade Suboverseer.

(*e*) Yes.

(*f*) No. The following Overseers have been appointed within the last three years :—

Babu Benarsi Das trained at Ludhiana.
Pandit Nilkanth Haku trained at Ludhiana.
Moulvi Ghulam Mohammed an *ex*-Engineer of the Military Engineering Service in Irrigation Branch in India.
Moulvi Ahmed Hussain correspondence course.

169. MIAN QURBAN AHMED : (*a*) Will the Hon'ble Revenue Minister please state as to how many persons of the following castes were granted the Agriculturist certificates upto Samvat 1984 in accordance with the Ailan No. 10, dated the 25th Bhadon 1972 in Wazarat Mirpur and Tehsil Rajouri?

(*i*) Mahajans,
(*ii*) Khatris,
(*iii*) Aggarwals,
(*iv*) Jains and

(*v*) Sikhs?

(*b*) According to this Ailan, how many lands were transferred, how many deeds were registered and how many mutations were attested in 1991-92 with respect to these castes?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) and (*b*)

	Caste.	No of persons.	Land transferred.	Deeds registered.	Oral mutation.
			K. M.		
District Mirpur.	Mahajan ...	3	121 18	3	2
	Khatri ...	11	87 0	7	.....
	Jain-Aggarwals	.....	.....	.....	.....
Rajouri Tehsil.	Mahajan ...	6	314 acres	74	.....
	Khatri ...	1	27 ,,	16	.....
	Jain-Aggarwals		.....	.....	.....

Total mutations attested = 102.

Under Ailan No. 10 of 1972, Sikhs as such do not appear to have acquired land. They were classed Khatris or Mahajan etc., according to their caste.

170. PANDIT AMAR NATH KAK : Will the Hon'ble Home Minister be pleased to state the number and the names of those persons who were trained at the Rasool Institute since the year 1925 and the posts they are holding and also state the names and the number of those persons who were since then appointed as Overseers and who have not been trained in the recognised institute at Roorkee or Rasool together with their qualifications and period of their training?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : Eleven persons were trained at the Rasool Institute since 1925. Their names are :—

(1) B. Paira Lal Ranka, 1928.
(2) P. Gobind Ji Bhan, 1929.
(3) P. Prem Nath Dass, 1931.
(4) P. Dina Nath Ganjoo, 1931.
(5) P. Kashi Nath, 1932.
(6) P. Salig Ram Koul, 1933.
(7) P. Radha Kishen Koul, 1933.
(8) P. Ram Krishen Tiku, 1933.
(9) L. Girdhari Lal, 1933.
(10) L. Kanya Lal, 1933.

(11) P. Kashi Nath Koul, 1935.

P. Gobind Ji Bhan ... } Hold the posts of 1st grade
P. Prem Nath Das ... } Suboverseers.
P. Dina Nath Ganjoo ...
P. Salig Ram Koul ... } Hold the posts of 2nd grade
P. Radha Kishen Koul } Suboverseers.
P. Ram Krishen Tiku ...

Girdhari Lal holds the posts of a 3rd grade suboverseer. The rest are unemployed.

The reply to the remaining portion of the question is as under :—

B. Amar Singh was reverted from Supervisor's grade on 24th Jeth 1989. He is an Upper Subordinate of the Punjab University.

B. Bhagat Ram was promoted from Suboverseer's cadre on 25th Bhadon 1984. He is a passed Suboverseer from the Punjab University.

B. Nand Singh was promoted from Suboverseer's cadre on 17th Assuj 1985 He is a practical hand.

B. Benarsi Das was promoted from Suboverseer's cadre on 20th Phagan 1991. He is a qualified Overseer from Hewett College.

B. Abdul Aziz was appointed as Overseer in the late Sanitary Department on 15th Baisakh 1987 and was transferred to this Department on abolition of the Sanitary Division. He is a passed Overseer from C. E. College, Ludhiana.

B. Ahmed Hussain Qureshi was appointed as Overseer on 18th Phagon 1991. He is a Diploma holder of C. E from International Correspondence School London and that of Municipal and County Engineers from Sanitary Training College London.

B. Boor Singh was transferred from Archaeological Department on 12th Assuj 1984. He has passed Technical Examination from Arts School Lahore.

PANDIT AMAR NATH KAK : Have the London or the Wales College qualifications been acquired by correspondence or by training.

THE HON'BLE MR. WAJAHAT HUSSAIN : By correspondence.

171. SARDAR FATEH MOHAMMAD KHAN : (*a*) Will the Poonch authorities please state what means have been adopted so far by them to remove mass unemployment and economic depression?

If the answer to part (*a*) be in the negative, are Poonch authorities prepared to take practical steps to remove unemployment of the hunger stricken people of Poonch?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) (*a*) No steps have been taken.

(*b*) The problem is not a local one but general. His Highness' Government has appointed a Commission for this purpose and their rceommendations shall be useful for Poonch Illaqa also.

172. MIAN QURBAN AHMED : (*a*) Is it a fact that the Forest Department sells Chil trees to the zamindars on cheaper rates for building their houses and at the same time the department has marked the sound trees which are not to be sold while the trees which do not serve any useful purpose are disposed of?

(*b*) If the reply to part (*a*) be in the affirmative, are Government prepared to issue orders for selling sound trees to the zamindars according to their choice and on cheaper rates? If not? Why not?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) Yes, but this is only for those villagers whose village boundary lies within 3 miles of the demarcated forests. Villagers not within the prescribed limits are not entitled to the concession of cheap trees, but they can get the timber at half the standard rates for conifer trees (except deodar) over 9′ in girth.

The trees are marked silviculturally before-hand for the concessionists and sold to them.

(*b*) All trees are marked silviculturally. No unsound tree is purposely marked for concessionists.

173. PANDIT AMAR NATH KAK : Will the Hon'ble Home Minister be pleased to state whether the Government would redress the wrong done to the persons trained at Rasul by these supersessions and give them the posts of Overseers at an early date?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : No wrong has been done to the persons trained at Rasul by any supersessions

174. MIAN QURBAN AHMED : Will the Hon'ble Revenue Minister please state :—

(*a*) How many applications have been submitted in District Muzaffarabad during the last three years regarding reduction and suspension of grazing fee respectively?

(*b*) How many of these applications and of what villages have been granted and how many were pending on the first of Bhadon 1993?

(*c*) In how many cases the Revenue authorities have inspected the spot upto the first of Bhadon 1993 on aplications containing the complaints of absence or insufficiency of pasture lands and what was found as a result of each such inspection?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) Total number of applications 55 out of which 40 were for suspension and 15 for wholesale remission.

(*b*) Out of 40 cases for suspension grazing dues have been suspended in eleven cases and ten cases are pending investigation. The remaining 19 cases have been filed. The eleven cases wherein suspension was ordered related to the following villages :—

1. Mangumar Khan.
2. Ganchattar.
3. Bandifatehjang
4. Dahban.
5. Sandban.
6. Batmang.
7. Dhanibore.
8.
9. Bandikarim Haidersh.
10. Rai-kandi.
11. Jabian.

As regards 15 applications for remission, reports have been submitted by the Tehsildar in respect of 12 villages, *viz* :—

1. Bandimirsamdani.
2. Gojra.
3. Chella.
4. Batickasikhan.
5. Narhotar.
6. Siadbatta.
7. Chattardomel.
8. Ashdoke.
9. Serilalow.
10. Sumbalbhana.
11. Sarikarda.
12. Sairuyan.

and 3 cases are still pending enquiry and local inspection.

(*c*) The spot inspection was carried on by Tehsildar in most of the cases disposed of or reported upon. In the 12 cases regarding remission, the result of spot inspection as reported by the Tehsildar generally was that grazing facilities were inadequate.

MIAN AHMED YAR : For what reasons have those nineteen applications been filed?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : How can he say on the spur of the moment.

MIAN AHMED YER : The Hon'ble Minister must be prepared for the supplementary questions. Rules 40 is clear on the point.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : These are the facts. He cannot carry reasons in his head. I will not allow that,

175. MIAN QURBAN AHMED : (*a*) Will the Hon'ble Revenue Minister please state as to whether there is any forest law by which if any person be he a zamindar or a Jagirdar, a villager or a townsman wants to use stones from his own land for constructing his house, he will be required to get permission from the Forest Department?

(*b*) If the answer be in the affirmative, will the Government state reasons for that?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) No. The Praja Sabha Sad is, however, referred to Section 45 of the Land Revenue Regulation No. 1 of 1980 according to which all mines of metal, coal, quarries and all earth-oil and gold washings are deemed to be the property of the State

(*b*) Does not arise.

176. KHAWAJA ALI MOHAMMAD : Is it a fact that the post of Hon'ble Revenue Minister has been invariably held by non-Muslims during the last 18 years?

LALA HAVELI RAM (On behalf of the Hon'ble Prime Minister) : Yes. The attention of the member is drawn to Q. D. No. 47, S. No. 127 (*b*) answered as 25th April 1935.

177. MIAN AHMED YAR : (*a*) Will the Hon'ble Revenue Minister please state whether fixed grazing fee was assessed villagewise in District Muzaffarabad before the regular Settlement?

(*b*) If the answer to (*a*) be in the negative, when, under what orders and why was fixed grazing fee assessed villagewise in District Muzaffarabad?

(*c*) Now that ownership in land has been granted in District Muzaffarabad why should not grazing fee be abolished?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) No.

(*b*) (*i*) in 1900.

(*ii*) Under State Council Resolution No. 30, dated 14th July 1900.

(*iii*) In the interests both of State revenues and the graziers.

(*c*) The ownership of land has no bearing on the levy of grazing dues. These are charged in consideration of grazing facilities in State forests and Khalsa lands enjoyed by the graziers.

MIAN AHMED YAR : Will the Government exempt those villages from any Kahcharai tax when there is no Khalsa land and where forests are not resorted to for grazing or where the village cattle are not sent for grazing in the forests?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You have asked an opinion.

MIAN AHMED YAR : This is a question of policy. It is a corallary point.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You

must ask it in the question. He is one Minister. If you ask a question of policy, you must put it in a question so that he may consult other Ministers also.

178. MIAN QURBAN AHMED : (*a*) Are Government aware that in Jammu Province the zamindars are generally occupancy tenants and under Section 60 of the Tenancy Regulation they feel some difficulty in making mutual transfers because they have to present themselves in the Court of the Revenue Assistant?

(*b*) If it is correct, will the Government oblige the zamindars by investing the Tehsildars with these powers?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) Yes, there is an appreciable number of occupancy tenants in the Jammu Province.

(*b*) Section 60 does not deal simply with permission to alienate but it also requires evaluation of the occupancy right in certain cases. This is an important matter and therefore the powers have been reserved for Revenue Assistant only. In the Punjab also, only Assistant Collectors of the 1st grade can deal with such cases and there also the Tehsildars, who are generally Assistant Collectors of the 2nd grade, are precluded from exercising jurisdiction under Section 60. The procedure here is thus analogous to that obtaining in the adjoining Province of the Punjab and is in the best interests of the zamindars.

PANDIT AMAR NATH KAK : Will the Hon'ble Home Minister please state :—

(*a*) Whether it is a fact that the previous State Engineers upto and including (H. A. D. Fraser) had repeatedly, *vide* Circular, declared that Hewett College was not a recognized Institute?

(*b*) Whether the present Home Minister declared Hewett College as a recognized institute on the abolition of the Suboverseer Class in the Technical Institute, Srinagar?

(*c*) Whether it is a fact that in British India persons trained at Rasul or Roorkee are given preference over those trained at Hewett or Ludhiana, by the British Indian Government?

(*d*) What are the reasons for ignoring the claims of persons trained at Rasul in the State and giving preference on granting higher appointment to persons trained in Hewett or the Institution at Ludhiana?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : (*a*) There is no such circular on the subject.

(*b*) No. The Suboverseer Class in the Technical Institute, Srinagar, was abolished in 1989 as a measure of retrenchment. I informed the Principle Hewett Engineering College, Lucknow,

direct on his representation that the State had raised no bar against the appointment of students trained at his school.

(*c*) Information on this point is not available.

(*d*) Four Overseers have been appointed within the last three years. One of them was already in State service working as Sub-overseer and he was given promotion according to seniority. The second man was on the work-charge establishment and was made permanent. The third man had worked as an Engineer in the Military Engineering service of the Government of India; and the fourth man held certificates of the two correspondence colleges.

180. MIAN AHMED YAR : (*a*) Will the Hon'ble Revenue Minister please state whether any order has been passed so far cancelling the Ailan regarding the remission of *Malikana*, published in the Government Gazette dated the 19th Baisakh 1990?

(*b*) If the answer to (*a*) be in the affirmative, when and what was the order thus passed?

(*c*) If the answer to (*a*) be in the negative, why has not *Malikana* (which is included in the land-revenue) been remitted so far in compliance with the order referred to in (*a*)?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) Yes.

(*b*) By His Highness' order dated 8th July 1933 published in the Government Gazette of 13th July 1933.

(*c*) The order was that *Malikana* wherever due to the State (charged over and above land-revenue proper) would cease. This is being done in compliance with His Highness' commands. There can be no question of remission of *Malikana* where no such surcharge was ever super-imposed.

181. KHAWAJA ALI MOHAMMAD : (*a*) Are Government aware that the inhabitants of Jammu and Kashmir celebrated the Responsible Assembly Day on 8th May 1936?

(*b*) Were meetings held on this day and procession led in different Illaqas of Jammu and Kashmir demanding a Responsible Assembly?

(*c*) Have His Highness' Government taken any steps to fulfil this demand of the subjects?

NOTE.—The above question was withdrawn by the Member.

182. MIAN QURBAN AHMED : (*a*) Did the Government retrenched many peons of the boarding houses in connection with the deficit in the last year's budget and impose boarding tax also?

(*b*) If the answer to the above be in the affirmative, will Government now oblige the zamindars by remitting the boarding fee and by reinstating the peons?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : (*a*) No peon was retrenched as no peon was employed. A boarding fee was levied?

(*b*) It is not intended to withdraw the order about the boarding fee.

183. MIAN AHMED YAR : Will the Hon'ble Revenue Minister please state when the assessment of the village Muzaffarabad proper Tehsil Muzaffarabad as assessed in the last Settlement was announced and whether the question of customary practice and the turns for irrigating lands in the said village has been settled? If no such Settlement has been made why is land-revenue being charged at Abi rates from those zamindars whose lands have been entered as Abi but who, because the turns of irrigation have not been settled, cannot irrigate their lands? Who is responsible for this carelessness? If no action has been taken in this behalf, what are the reasons therefor?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : The assessment of village Muzaffarabad was announced in Phagon 1988. Turns are already fixed since 1st regular Settlement. Abi rates are charged on lands entered as irrigated. The Revenue Department is taking action for the completion of Riwaj Abpashi.

MIAN AHMED YAR : What arrangements have been made for those areas which have been subsequently included now according to the revised Settlement?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : It is a new question. How can I say.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Will you kindly give it afterwards. He says he wants answer.

184. KHAWAJA ALI MOHAMMAD : (*a*) Will Government please state whether they are aware of the fact that a reply has been published on behalf of the Muslim Conference on 8th July 1936 on reply to Hon'ble Prime Minister's communique dated 12th June 1936?

(*b*) Can it be expected that the policy of the Government will be changed for the reasons stated in the reply and that in the near future such complaints will be removed?

NOTE.—The question was subsequently withdrawn by the Member

185. KHAWAJA ALI MOHAMMAD : (*a*) Will the Hon'ble Revenue Minister please state whether an article under the heading "A scene of loot and bribery in Food Control Department" has been published in the Newspaper "Haqiqat" in its issue number four of 11th July 1936?

(*b*) If the answer be in the affirmative, what action has the Government taken to inquire into these complaints and to check the evil?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) No article of the description given by the Praja Sabha Sad did appear in the Haqiqat Newspaper of the

11th July 1936.

(*b*) Does not arise.

186. PANDIT AMAR NATH KAK : Will the Hon'ble Home Minister be pleased to state :—

(*a*) How many vacancies in the upper subordinates' cadre in P. W. D. occurred during the last three years?

(*b*) What were the names and the qualifications of persons to whom such vacancies were given?

(*c*) Whether any Hindu trained in Hewett or the Institute at Ludhiana was taken in State service from the times the Sub-overseers class was abolished at Srinagar, if so, what are their names?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : (*a*) Four.

(*b*) (1) B. Benarsi Dass, the seniormost Sub-overseer, who is a qualified Overseer from Hewett College Lucknow. (2) B. Ahmed Hussain Qureshi Diploma holder of C. E. from Insternational Correspondence School London and that of Municipal and County Engineers from Sanitary Training College London, Member of the Institution of Engineers (South Wales).

(*c*) None, neither a Hindu nor a Muslim.

PANDIT AMAR NATH KAK : What are the qualifications of Ghulam Mohammed and Ahmed Hussain, the two gentlemen whose names have just been stated?

THE HON'BLE MR. WAJAHAT HUSSAIN : Their qualifications have already been stated.

187. PANDIT GOBIND RAM KABU (Baramulla :Hindu) : (*a*) Will Government please state whether it is a fact that in the year 1986 the Ilaqa of Mawar, Handwara Tehsil, experienced a huge flood and the village of Drungsu suffered heavy loss by being washed away?

(*b*) Is it true that the Government had sanctioned some relief to the victims? If so, what was the compensation and how was it distributed? Is it true that some of the victims have not even as yet received the full amount of the relief? If so, what are the reasons?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) Yes, but the damage was not extensive.

(*b*) Relief of Rs. 200 in cash and 20 trees have already been distributed.

PANDIT GOBIND RAM KABU : Was a prize of Rs. 2,000 or a prize of Rs. 200 sanctioned?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : He says Rs. 2,000.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : I do not remember just now.

188. MIAN QURBAN AHMED : (*a*) Will the Hon'ble Judicial Minister please supply list of gazetted and non-gazetted officers, clerks and peons in the Kathua District stating the number of the Muslim zamindars amongst them? Is it not his duty to keep in view the convenience of all the communities and give proportional representation in services to each of them so that the public may have no grievance?

(*b*) If the answer to (*a*) be in the affirmative, will the Hon'ble Judicial Minister remove this inconvenience of the public by making suitable transfers?

PANDIT RAM NATH SHARMA (On behalf of the Hon'ble Judicial Minister) : List of Gazetted and non-gazetted officers of the Judicial Department in the Kathua District :—

Gazetted	...	1
Non-gazetted	...	9

No. of zamindars out of total 10 is equal to 6.

In view of the proportion (*b*) does not arise.

MIAN QURBAN AHMED : Are all these six Muslims?

PANDIT RAM NATH SHARMA : You may put a new question.

MIAN QURBAN AHMED : It is a part of the question I have put.

PANDIT RAM NATH SHARMA : Six out of ten are Muslims.

MIAN QURBAN AHMED : Will their names be stated?

PANDIT RAM NATH SHARMA : Please give notice. The names will be supplied.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The names will be supplied to him. (Addressing Pandit Ram Nath Sharma) Supply them to the member.

189. SARDAR BUDH SINGH : Has the Hon'ble Home Minister removed the misunderstanding regarding the road from Akhnoor to Mirpur going *via* Dharamsala, which had greatly disappointed the people of Mirpur? If so, how?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : The member is referred to answer given to question No?

The demand is for a road from Serai Alamgir to Mirpur. This matter is still under correspondence with the Punjab Government.

NOTE.—After the questions were replied to, Mian Ahmed Yar begged leave to move a resolution in connection with the auspicious birthday of His Highness the Maharaja Bahadur which was granted by the Hon'ble President.

MIAN AHMED YAR : Sir, today, we move a resolution of congratulations to His Highness the Maharaja Bahadur on the auspicious occasion of his birthday. On this auspicious day there is rejoicing in every corner of the State. We do not love His Highness the Maharaja Bahadur only because he is the Ruler of this State. His Highness was an only child to three brothers and even before taking the reigns of Government in his hands, love for his

dear subjects lay ingrained in the heart of His Highness. Even when His Highness was only a Senior Member, he introduced reforms in the State and ever since we have been having reforms here. The troubles and the requests of people inhabiting the far-flung parts of the State received consideration there. Tours were made and the grievances of the public were listened to and in order to remove those grievances His Highness the Maharaja Bahadur was pleased to issue the necessary orders. Naturally the sentiment of loyalty for their illustrious ruler increased in the hearts of the people. After that different political parties kept expressing their loyalty every minute by word, act and deed. Now due to the graciousness of His Highness the Maharaja Bahadur, we have been blessed with this Praja Sabha and we, in this House, have been deemed to have a right of conveying the voice of the public to the Government. We, therefore, consider it our primary duty that in order to give expression to our sentiment of loyalty we should move this resolution in the House in honour of the auspicious occasion that comes up tomorow.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Will you kindly read the resolution?

MIAN AHMED YAR : "This Praja Sabha begs to offer its heart-felt congratulations to His Highness the Maharaja Bahadur on His Highness' auspicious birthday and prays for many happy returns of the same".

This resolution has been moved in the House and it is requested that it be conveyed to His Highness the Maharaja Bahadur through the Hon'ble President. (Cheers)

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : A translation of the resolution read by Mian Ahmed Yar will be read out to you gentlemen If you all agree you will stand up.

NOTE.—All the members stood up and the following resolution was unanimously passed :—

"This Praja Sabha begs to offer its hear felt congratulations to His Highne-s the Maharaja Bahadur on His Highness' auspicious Birthday and prays for many happy returns of the same."

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The President will have great pleasure in submitting the resolution to His Highness the Maharaja Bahadur.

MIAN AHMED YAR : Hon'ble President ; some of the members had submitted an application for adjournment motion this morning but the reply has not yet been given.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Rule 43 :—

"A motion for adjournment of the business of the Praja Sabha for the purpose of discussing a definite matter of urgent public importance may be made with the consent of the President".

MIAN AHMED YAR : And we have applied for the same to the President.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : That is not enough.

Rule 45 is :—

> 'Leave to make a motion for an adjournment of the business of the Praja Sabha for the purpose of discussing a definite matter of urgent public importance must be asked for after questions and before the list of business for the day is entered upon. The member asking for leave must, not less than half an hour before the commencement of the sitting of the day, hand to the President a written statement of the matter proposed to be discussed''.

You must ask for permission and then I can say something.

MIAN AHMED YAR : That is why I have stood up.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You read out the resolution for adjournment.

NOTE.—Mian Ahmed Yar then read out in Urdu the following resolution pertaining to an adjournment motion :—

> "That this sitting of the Jammu and Kashmir Praja Sabha be adjourned as a protest against the very unsympathetic and deplorable attitude of the Kashmir Government towards the Kashmir Valley Food Control Regulation Amendment Bill No. 1 of 1986 which is injurious to and absolutely against the public interest.'

MIAN AHMED YAR : The only object of this adjournment motion is to protest against the attitude of the Government (regarding the Food Control Amendment Bill) which has been against the interests of eleven lacs of the zamindar subjects of the State. The treatment of the Government has been most unsympathetic. According to Rules we are quite justified in proposing this adjournment motion. Permission to move it may therefore be granted.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : It is laid down in the Rules that such an application must be handed over at least half an hour before to the President and it is necessary to secure first the permission of the President. This application was given to the office by you and it was ten thirty then. It came to me at five minutes to eleven when I was quite ready to come up into the Hall and I had no time to consider it. In future such applications should be handed over to the President himself and not the office so that he may get enough time to consider them. In this way the applications take some time in the office too and reach me late.

I have reconsidered this matter and I am sorry that permission for adjournment cannot be granted because the motion has many defects. The first thing is that the matter for which an adjourn-

ment motion is wanted is not of such urgent public importance which demands consideration. In the Assemblies members always have an opportunity of expressing their disapproval of the conduct and orders of the Government.

The second thing is that under section 44 (*iii*) an adjournment motion must not revive discussion on a matter which has been discussed in the same sessions. As the Food Control Regulation was discussed only two days back in this session of the House, this adjournment motion cannot be permitted.

Thirdly it is stated in section 44 (*v*) that an adjournment motion must not deal with a matter on which a resolution could not be moved. No member can move in the House that the Council is requested to express its disagreement with any particular order or act of the Government. As no resolution of this kind can be moved here, permission for this adjournment motion can, again, not be granted.

Because of these three reasons I do not allow permission for the moving of this motion.

Ruling.

The following are the grounds on which I refuse to grant permission to move the motion :—

1. This is not a matter of urgent public importance. The Praja Sabha members have every day an opportunity of expressing their disapproval of the conduct and orders of Government.
2. Under Section 44 (*iii*) a motion must not revive discussion on a matter which has been discussed in the same sessions. This matter was discussed only two days ago and therefor the discussion on the same matter cannot be permitted.
3. It is stated in section 44 (*v*) that the motion must not deal with a matter on which a resolution could not be moved. I am afraid that a resolution cannot be moved in such a matter. No member can get up and say that the Council is requested in this particular matter that it may express its disagreement with the Government and its action.

For these reasons the admission of the motion is disallowed.

RESOLUTION III.

"This Praja Sabha recommends to the Council that the work of rural reconstruction be taken up in selected villages of both the provinces. Local unemployed educated youngmen should be selected for this work and they should be awarded scholarships and those of them who prove successful should receive preference at

the time of recruitment for local low paid posts".

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Now we take up Resolution No. III. This resolution has been submitted by three or four members. As Pandit Dev Raj is not present just now, the resolution will be moved by Bakhshi Moti Ram.

BAKSHI MOTI RAM : Sir, I move that this Praja Sabha recommends to the Council that the work of rural reconstruction be taken up in selected villages of both the provinces. Local unemployed educated youngmen should be selected for this work and they should be awarded scholarships and those of them who prove successful should receive preference at the time of recruitment for local low paid posts.

Poverty, disease, ignorance and mutual dissensions are sapping our country. This is an outcome of our lethargy, carelessness and bad habits. Education is the only means which can by good methods bring about a change in the fate of the people. But modern education does not allow youngmen to remain fit enough to live in villages to be able to carry on the uplift of their illiterate brethren. After securing education it is their effort, in fact, to take their residence in cities. They try to find a livelihood in the towns. The rural brethren do not gain much by the education of these people. Useless old conventions, mutual litigation and above all the burden of ever-increasing Government taxes is in reality undermining them. The subordinate Government officials who come in contact with the villagers do not only see to the realization of the State demands. They also try to make some personal profit. In reality they have no sympathy with them. Different administrations in India have recently begun to pay their attention to village reconstruction. Lots of money are being spent for this purpose. The fact is that the staff of the different departments of the State which is working in rural areas now, cannot succeed in this work. The reason is clear. In one village different junior officials of various Departments hold sway. The zamindars do not like their treatment towards them and often they do not place any trust in them. Then there are other different officials too, a separate one for Revenue, others for Forests, Co-operation, Sericulture, Police, Judiciary and Education. In short they have to deal with different officials A statesman like Sir Malcom Hailey has declared in India that the responsibility for the amelioration of the condition of the zamindars lies on the shoulders of the Government. He has proposed that in every district centres for village reconstruction should be established. A clear programme should be chalked out and the work taken in hand. As a result in every province large grants are made annually for this purpose. This money is being spent. A Co-operative Department has already been established here for aid to zamindars. But it does not render

any satisfactory help to the public and it stands in need of much reform. Prevention of the ever-increasing poverty of the people is essential. Some people do not even get enough to eat or to cover their bodies. Different diseases attack the villagers. They are not in a position to have proper treatment. The houses of many villagers are unfit for habitation. Many poor zamindars have not been left with a slice of land for their maintenance. In the village they are unable to find any other means of livelihood. Some whose livelihood depended upon their cattle, are left with hardly anything. Their economic position has become so weak that they can hardly manage to make the two ends meet. His agricultural implements and the produce of his land are not good enough to allow the peasant and his family to make a living. He is not in a position to educate his children. The peasant stands in need of help so as to overcome such difficulties. It is the duty of the Government to make arrangements for the rendering of such aid in every corner of the State. The educated unemployed of the villages should in particular be associated with the work of rural reconstruction. Those who prove successful in this work should in future receive encouragement at the time of recruitment.

MOULVI MOHAMMAD ABDULLAH : While supporting this resolution, I would submit that agriculturists only should be deputed for the work of rural uplift. They should be residents of villages. With these few words I support this resolution.

SARDAR BUDH SINGH : Hon'ble President. This resolution is so important and so beneficial that no one can possibly have any objection to it. Who does not know that the life not only of mankind but of all animals depends upon the rural people in the interests of whose betterment this resolution has been moved. No one can deny that the peasant produces grains and all for us with the sweat of his brow. He belongs to the class that produces. We, the rest of us, are all consumers. In reality all of us, high or low, rich or poor are dependent on him. It is therefore the duty of us all, whether we live in cities or whether again we are servants of the State to praise him whose bread we eat. We should think of the comfort of him who produces for us our necessities of life and manage to keep him alive. Their lives should be prolonged and strength should be created in them. They should be able to work in freedom and with a confident heart. As we are benefited by them, it is our duty too to benefit them.

Once I saw a picture. It was written on it that somebody says that he provides for the country, another declares that some town or district or tehsil or part of the country or family is provided for by him. On the other hand, was the poor peasant who worked very hard. On his shoulder was a plough and in his hands a spade. He says that he gives to all. But his appearance cannot con-

vince anyone of that. In reality he does produce for all.

It is a pity that the condition of the peasant is so bad and his lot so miserable now that it is well nigh indescribable. To ameliorate his condition, to maintain his strength and to prolong his life is almost to prolong one's own life and this is our primary duty. The condition of the poor rustic is sad. His tale of woe is long. What is the source of all the luxury that is to be found; of the multicoloured dresses we are putting on in this House; of all we eat or all that keeps us alive; the circulation of blood in our bodies which refreshes heart and brain; of the power because of which great scientists make their inventions and intellectual authors write books and this all for the necessities of life? All this dress and all this food is a result of the sweat of the peasant's brow. The heaps of fruit and vegetables that are to be found in the vegetable markets of the cities are again a result of the hardwork of the peasant. Markets are full of Ghi and grains. That is all due to him. He plants the fruit. He maintains the cows and the buffaloes and he takes them out for grazing. The various dishes and meals that are prepared are again a fruit of his labour. The factories for the manufacture of cloth and all other factories go on because of him. How much more shall I say.

We raise our cry in this House for the sake of the poor peasant and ask that in the interests of his welfare, his troubles should be lessened. But the Government pays no heed. The Hon'ble President remarked the other day that we attack the Government. We do not desire to attack. We only want to give timely warning. We request that justice and right should be adhered to. We wish that our Government proves efficient and of good repute. We are always prepared to co-operate with it, if it keeps our welfare in mind and treats us sympathetically. To speak out the truth is not to attack but to render pleasant the relations of the Ruler and the ruled. We all want peace and good relations.

Who does not know that it is our duty to protect and strengthen that which supports us. Does the Government not know what it stands upon? The betterment of the villager and looking after him is like the prolonging of its own life by the Government.

رعیت چوبیخ است و سلطان درخت
درخت پسر باشد از بیخ سخت.

It is an undesirable fact that the subjects form the roots of the tree of the Raja and the Government. Like beautiful birds all of you are chirping on its branches. But you should never forget that this beautiful tree exists because of its roots. Wisemen always try to save such a life-giving tree from winds or flood. They protect it and save it from disease or wormwood so that it may not wither or fall down. It needs irrigation. It needs manure. It is the duty of us all and of the Government to protect the roots of

this tree from the winds and the floods of an ever-increasing expenditure, of forced taxation and of destructive schemes. When instead of protecting or strengthening these roots, they are unduly burdened, the whole game will be spoiled if these go wrong. The lives of us all will then be endangered. These roots are being undermined now and danger looms ahead.

King Nausherwan was famous for his justice. His son asked for advice from him when Nausherwan was about to die. The king gave him the following advice:—

نبایدبنزدیک دانا پسند — که شبان خفتن وگرگ داگو سفند

The wise do not approve of the watchmen sleeping during the night and allowing the wolf to go away with the sheep. A true shepherd protects his sheep. It is also his duty to protect them, during the night. He should not sleep and allow the wolf to have his prey among his sheep. The Raja and the Government are the protectors of the people. It is your duty to save them from beasts of prey. It has been stated that the income of our State runs upto two crores, fifty-seven lacs and five thousand. The population is thirty-six lacs. Most of this money (income) is realized from the poor subjects and the villages. Village uplift therefore amounts almost to self-uplift. If the villages flourish the Government is safe. If they live, the Raja will also live. The life of the people depends upon the discharge of his duties by the Raja to protect and be just. In short the Ruler and the ruled are closely knit together. Where do the land-revenue and other taxes which comprise lacs of rupees come from? It all comes from the poor people, the rustics. We moved a resolution that land-revenue should be realized on the same principle on which income tax is realized. Income tax is realized from a townsman or a trader on an income exceeding two thousand. Land-revenue ought also to be realized on the same principle. But that resolution was rejected.

It is a pity that grazing tax should be realized from even a poor old widow who owns an only goat and a kanal or two of land. I have times and again requested for a reduction in land-revenue. The price of grains has fallen very much and the life of a peasant depends upon grains. But the land-revenue has not been lessened nor has any relief been given.

Mahatma Gandhi feels for all the ills of mankind. He took up wholeheartedly the work of rural reconstruction which undoubtedly is a primary thing and very essential. The Government of India also, after that, attended to this work and sanctioned a grant of a crore for village reconstruction. Instructions were issued to the Revenue officials and others to take interest in the work of rural uplift. Many plans for village reconstruction were drawn up. Whatever the aim or the object of the Government's action, attention has certainly been paid to this work. In our State too the

Government ought to attend to the work of rural uplift.

It is not enough to sweep and clean the lanes of the villages. This should not be the object of rural reconstruction. Agricultural improvement should be helped on by all means. The starving villager should first of all have something to eat. Enough to eat should first be provided for this poor starving peasant. Though he produces for all, the peasant is getting broken down. He is not left with anything for himself. This poorman always remains in debt and want. I do not as yet ask for metalled roads in the villages and pucca houses for the villager to live in. I only want that the labour and the peasant class because of whom we all, rich or poor, are alive today should also be kept alive. We should be saved from the painful burden of an excessive revenue, of grazing and water taxes, of the unbearable trouble and inconvenience of debt so that he can by dint of his hardwork produce various things for us and the different necessities of life and live a contented untroubled life. It may be our duty to leave a sufficient store of supplies for all his necessities of life and take the remainder for ourselves.

It does not matter if you do not give him fine clothes to put on and pucca houses to live in, but he must have enough to eat and to put on and a proper shelter. He will thus be able to live in health and comfort. The most important thing for his is good, nutritive and sufficient food which will ensure a flow of fresh blood in his veins. To maintain his health and strength, to keep him stout, to prolong his life, to allow him to eat himself and to produce for others, he should be provided with clean and pure water. It does not matter if dust or dirt cover his dody when he works or that he rolls in mud when at work. His health and his strength should be maintained. His cares, his worries and anxieties should be lessened. He should be made fit to live a free and a comfortable life. This can be done only when all the undue burden of anxieties and worries that oppresses him, of a lack of confidence that scatters his wits about is lightened. This is the uplift he stands in need of. Otherwise what has a hungry, naked, worried condition got to do with health or with cleanliness.

It is, in fact, the duty of the Government to keep alive the villagers, who form our very breath and to better their lot. Now that the representatives of the people are making a submission for this, there is no reason why their request should not be granted.

The Government once agreed to lend to the local Khaddar Bhandar a sum of rupees seventy-five thousand at an ordinary rate of interest. But when they heard the word "Khaddar" they got frightened and the offer was rejected. It is a matter of shame that after having promised help for a very useful purpose, the Government should again have denied it, though in this Bhandar thousands of poor Kashmiris work. It was the opinion of Mr. Barkar the

expert who had been called to give his suggestions about sheep and wool that this Bhandar was doing good work. He further said that it provided the villagers and those who worked hard with work and therefore it should be helped. But so far the Bhandar has not been granted any aid. These days it stands in need of help to weaving centres on a grand scale at Sopore and Pampore. That would require land. Whatever the circumstances, a work so useful and helpful which employs villagers and aids them should be helped.

The Bhandar has got no connection with the Congress. It is altogether separate. It is not a profiteering agency. It is out to help the poor and to provide work for the unemployed. I was surprised to know that it works at a loss ; there has been a loss in comparison with the last year. But the Bhandar bears this loss because it helps the villagers, produces swadeshi articles and aids the prosperity of the industries in Srinagar. If any private individual gives an impetus to cottage industries, weaving or the making of Khaddar, ways in which the villager could get work and earn his livelihood, instead of being encouraged he is opposed. The police keeps a watch that somebody weaves Khaddar or puts it on. We have not come from without, nor are we outsiders. Using of Indian charkhas and the making of Khaddar do not mean anything bad. It is the primary duty of the Government to encourage cottage industries.

Mention was made yesterday in the Hon'ble Finance Minister's speech of the Congress and socialism etc. The Congress is named to frighten us. (We are frightened if we name the Congress). Efforts are being made to reject proper, useful and important demands. The Congress is not a dangerous body, nor an association of rebels. It is our representative body.

I would say that the maximum amount of money that can be should be spent for this purpose. Very capable men should be selected and the work taken up in right earnest. Help from the best private individuals who can be useful in this work should also be sought. I am of the opinion that the work of rural reconstruction should not be started in a few select villages only, but it should be taken up in every village. As has often been said all villages need reconstruction. But the present resolution makes the suggestion that work should first be started in select districts and villages. The Government cannot have any objection to it. It would be a trial. After the first experiments the work could be taken in hand on a vast scale soon after. The field of work is extensive and life-giving. It is the duty of the Government to see what ways and means it can adopt for rural reconstruction. But as I have already said apart from the work of surface cleanliness, the peasant is also to be freed from his worries of poverty, indebtedness, excessive taxation and his woes of hunger and nakedness. I therefore submit that rural reconstruction is like the upkeep of one's own health and body and

of the very Raj we are under. It is a primary and a noble duty too that devolves on the Government. It is the duty of the Government to discharge it. We should bear in mind the proverb that the Raja can rule only a contented people. The Raja cannot rule otherwise. A king is after all made by his people alone. There can be no Raja without a people. Therefore the safety, peace and prosperity of the Ruler and the ruled lie only in a speedy undertaking of the work of rural reconstruction. Adequate funds should be provided for this work.

Real uplift will have been done only when the peasant shall be able to get proper diet to eat, clothes to put on and a shelter. Only then can peace and contentment reign. Th epresent conditions are bad. The poor peasant is laid low by worries and encircled by troubles. Therefore he should at once be attended to.

I therefore support this resolution.

PANDIT RAM CHANDRA DOBEY : Hon'ble President : Much uplift work is being carried on in every province. We have to see the extent to which this work has been done here and to what extent it is proposed to carry it on. The Revenue and other Departments are undoubtedly doing this work. But complete success is not visible yet. It is, therefore, deemed necessary that the work of rural reconstruction should be perfected. The various officials of the different Departments who are sent on tour in connection with rural uplift cannot complete this work. By its order of seventh September 1935, the Government of India granted one crore of rupees for this purpose. This has been distributed among the various provinces and it is being used for uplift work in different parts. Our Government also is doing some work, but this is restricted to specific areas. It is important to start reconstruction work in every village. It is, therefore, the primary duty of the Government to hold a general survey of the conditions of each village. Even here some people have suggested their uplift schemes. Doctor Shri Ram, the Scout Organiser, has submitted his scheme for rural uplift and this has been published in the Press. I want to submit that first of all it is important to have a general survey of all the villages and nothing can be done without that. The conditions obtaining in each village should be known perfectly. With these conditions in view a programme should be chalked out. The "descriptive" side of it is as follows :—

Description :—

General --Springs, roads climate, plants and trees, fodders, foods and fruits, medicines.

Physical features.—Clay, building stones, alluvion and diluvion, water.

Statistics.—Census past and present, Settlements, past and present, classification of area, total area, cultiva-

ted, uncultivated, irrigated, unirrigated, by canals and other sources.
Under zamindars.
Under Sahukars.

Stock.—Bulllocks, cows, buffaloes, sheep, goats, ponies, mules, donkies, ploughs.

Population.—Males, females by religion.

II. Physical features :—
(1) Approximate height above the area level
(2) *Situation.*—Maidani, Kandi or Pahari.
(3) Maximum depth of water level in different portions.
(4) Different kinds of soils and vegitation.
(5) Effect of alluvion and diluvion if any.

III. Statistics available from village records :—
(1) Census figures.
(2) *Area figures in acres.*—Total area (*a*) Milkiyat Zamindaran (*b*) Milkiyat Sarkar, cultivated area, uncultivated area, irrigatd area, unirrigated area, village waste lands (Shamilat Sarkar).
(3) Crop figures (Kharif and Rabi harvests).
(4) Extent of area per plough in each harvest.
(5) Land-revenue (Kharif and Rabi).
(6) Incident of revenue per acre on cropped area.
(7) Average price per acre for sales and mortgages.
(8) Details of live-stock.
(9) Annual Kahcharai revenue with incident per head
(10) Floating debts with rates of interests through (*a*) Co-operative Societies (*b*) Village Bankers.
(11) Total quantity of landed products of different crops in each harvest with details.
(*a*) Consumed within the village,
(*b*) Surplus exported.
(12) Market rates per rupee in the locality of different crops at the harvesting seasons.
(13) Spontaneous products of the village.

IV. Details of population and health :—
(1) Agriculturists with caste and creed.
(2) Non-agriculturists with caste and creed.
(3) Number of adults, male and females with details of literacy.
(4) Number of minors, males and females and number attending schools.
(5) Unemployed literate males (not earners).
(6) Adults males earning livelihood outside the village by service or other occupations.
(7) Number of labourers (males and females).

(8) Common diseases and other causes.
(9) Average life with proper time of births and deaths (males and females) and infant mortality.

V. Miscellaneous :—
(1) Common lands, how utilized, income derived.
(2) Common funds with annual income and expenditure.
(3) Village industries with details.
(4) Extent of venereal diseases and traffic in women.
(5) Subsidiary occupations.
(6) Number of hand artisans, carpenters, weavers, blacksmiths, mason etc.
(7) Distance of State Hospital, local Hakim or Vaid and medicines available.
(8) Distance of school and average daily attendance.
(9) Existence of Co-operative Societies and whether used to the best advantage and running properly.
(10) *Sanitation*.—Drainage, purity of water, proper disposal of manure and removal of refuse, cleaning of streets and other measures used.
(11) Cattle-breeding, average yield of milk of a cow, buffalo, or goat and average sale price. Cost of maintenance and income.
(12) Festivals observed throughout the year with income and expenditure.
(13) *Communication*.—Posts, Telegraph, Railway and Wheeled Traffic.
(14) Litigations with details of preventive measures to be adopted.
(15) Scarcity of pasture, water or roads if any and measures of relief suggested.

MOULVI MOHAMMAD ABDULLAH : This should be translated for us.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : It will be translated after one year.

PANDIT RAM CHANDRA DOBEY : All this data should be collected from the villages. I think it is important that all the conditions of every village should be fully studied. This work should then be taken up in every district.

(NOTE.—The Hon'ble President directed the Secretary to send a copy to the Hon'ble Revenue Minister.)

LALA HANS RAJ : The number of speeches that have been made is already more than enough I have also toured through the State and studied carefully the conditions obtaining in the towns and villages.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Of Jammu only.

LALA HANS RAJ : Of Kashmir too, Sir

I would like to tell you what the condition of the people is. They are dying. They don't get any clothes to cover themselves. They spend their winters around fires. In summer they thirst for water. The officials who have been appointed for their protection pay no attention towards them. They are not at all benefited by the existence of these men. On the contrary they are looted. All that has so far been stated in this House is quite correct. I would submit that the Government has granted so many concessions to its officials so that they may tour in the Mufassils and see what the condition of the people is. But this is of no use to the subjects. My learned friends have fully explained this to the House. I would submit that the ruler alone can be the cause of the betterment and prosperity of the people. It would not be a difficult thing for our State to take up schemes of rural reconstruction like other States or the British Government which is spending crores of rupees in this behalf. Our Government should also likewise spend money for the betterment and the welfare of the people. They are being looted by all that is going on at present. The Police for instance build up false cases in the Mufassils and the poor villagers have to bear different kinds of troubles.

LALA HANS RAJ : Kothies have been constructed. All the glory of the State is linked with these. It is submitted that attention should be paid to these poverty ridden people. The secret of the welfare of the State lies in that. I recall a verse from Sheikh Sadi :—

شنیدم که در وقت نزع روان — بہ ہرمز چنین گفت نوشیروان
که خطر نگهدار درویش باش — نه دربند آسایش خویش باش

"I heard that when Nausherwan was on his death-bed, he said to Hurmuz :—

"Protect yourself. Be a darvesh and never care for personal comfort".

Big salaries are paid. Furniture worth lacs of rupees is ordered for the decoration of their Kothies. But not a penny is spared for the poor villagers. There are neither lanes nor roads for them. The officials go on tours goaded by their selfishness. They are anxious. how to secure milk, ghee and articles made of leather. All is done for personal ends. Efforts are always made with that object in view. Nothing is done for the comfort of the people.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You need not attack any one. You can suggest ways and means of helping them.

LALA HANS RAJ : The Government should make an enquiry into the grievances of the people and try to remove them. I have submitted a scheme. It is the duty of the Government to consider it.

A Voice : It will be considered.

Lala Hans Raj : These people want to distract my attention and break my sequence of thought. I believe they have not come here to remove the misery of our land. They are here to gain their personal ends. They profit and the poor are overlooked. I would submit many things to you, Sir, but it would not be proper. Not one man here is a real well wisher of the people.

Lala Shiv Nath Nanda : You alone are a well wisher of the people.

Lala Hans Raj : I would submit that as long as the work of rural reconstruction is not taken in hand and practical steps are not taken in this direction, the grievances of the people will never be removed. It is a pity that we have nothing but communalism here these days. Everybody seems busy working for his own community and place. No scheme which may have the welfare of the public at heart is put forward. This resolution, therefore, deserve acceptance. I think it is important and I therefore submit that a Committee should be appointed to report about rural uplift and asked to submit its proposals to the Chair. Then we also can carry on village reconstruction here as they do in Baroda and Mysore. It would be better if you would propose, Sir, a solution which would remove all the troubles.

Major General Rao Bahadur Thakur Janak Singh Ji : I think nothing more need be said about the resolution after the speech of Sardar Budh Singh and the very long inventory given by Pandit Ram Chandra Dobey. Not a member of this House can be against this resolution. It would be useless to waste the time of the House now. There remains only the official block. I would request them also to support this resolution. The work of village reconstruction is a big task. As improvement in the condition of the depressed classes is also important. For some reason the mover of this resolution has not been able to be present. He would have spoken a good deal on this subject. He is naturally attracted by the work of rural reconstruction. Hopes of betterment can be built upon the work of rural reconstruction alone. I, therefore, strongly support this resolution.

Sheikh Mohammed Amin : Sir, a good deal of discussion has taken place about this resolution. There is no need of any further discussion now. I, therefore, strongly support this resolution.

Mr. President (The Hon'ble Sir Barjor Dalal Kt.) (Addressing Hon'ble Revenue Minister) : Will the answer be given in five minutes or shall we stop?

The Hon'ble Rai Bahadur Pandit Anant Ram (Revenue Minister : I will finish it in five minutes.

The attention of the Praja Sabha is invited to the reply given

in the last Srinagar Session to question No. 41 of Moulvi Mohammed Abdulla. It has been fully explained therein that the Government would take up the work of rural reconstruction by degrees. The re-organization scheme of the Co-operative Department was referred to in this connection as reconstruction work would be facilitated if carried on by this Department. The Committee who put forward this scheme laid special emphasis on one thing *i. e.* that in the preliminary stages of reconstruction work, it should particularly be kept in mind to train the villagers in such a way that they successfully utilize their spare time for the improvement of their economic and financial condition.

The Praja Sabha is aware that a Panchayat Regulation has been enforced and rules under this Regulation have been framed. A Panchayat Officer has also been appointed. An Assistant's post has, moreover, been sanctioned for propaganda work. Work was started last winter in the Mirpur District of the Jammu Province. Recently in six tehsils of the Kashmir Province, Panchayats are being set up. It is evident, therefore, that Panchayat work has started. As regards rural reconstruction work, four assistants trained as State stipendiaries, have been appointed for the present. The fixing up of two centres for this purpose is already under consideration. One centre will be in the Kashmir Province and the other in the Jammu Province. Training in rural reconstruction work will be imparted at these centres. Youngmen and those who want it will be educated with regard to cottage industries there and will be enabled to earn a livelihood independently. It is hoped that young educated zamindars will be able to start the work in their villages. The appointment of a Superintendent with necessary staff is under consideration for this purpose. After the provincial experiment in the establishment of centres has been made, the scheme will be taken up in districts and tehsils. There are only five Wazarats in both Jammu and Kashmir. The work has been taken in hand in three Wazarats of the Kashmir Province and one Wazarat in the Jammu Province.

It would be proper to remark in this connection that in every big village, a committee of some kind or the other is already in existence. The effort now will be to draw the attention of such committees to the well established principles of today so that they can take a special interest in the work of rural reconstruction. This work will be accomplished well and quickly only through these committees. The making of general survey, as suggested by Pandit Ram Chandra Dobey in his speech, will be a very lengthy procedure. It will cost much time and money.

The above facts must have made it evident that the Government is already making efforts for the welfare of the zamindars and in the interests of promoting the work of rural reconstruction.

Moreover the Government is giving a practical shape to sympathetic proposals in order to make the movement a success. The Government acknowledges the principle of opening centres for rural reconstruction work. But all this cannot be done at once. The work will be extended gradually.

THE HON'BLE LEUTINANT COLONEL E. J. D. COLVIN (Prime Minister) : I rise to give the House an assurance that the Government accepts the resolution in principle and will work out the details of the scheme according to the points raised by various members of the House. (Cheers)

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The Resolution is accepted.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Now comes Resolution No. 2 of Sheikh Abdul Hamid. Hamid! Please read it out.

NOTE.—The Assistant Secretary read out the following resolution of Sheikh Abdul Hamid :—

"This Praja Sabha recommends to the Council that two benches of Honorary Magistrates be set up, one in the Srinagar city and one in the Jammu city".

SHEIKH ABDUL HAMID : I request for permission to withdraw the resolution.

NOTE.—The resolution was withdrawn with the permission of the House.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Resolution No. 4.

NOTE.—The Assistant Secretary read out the following resolution of Major Ata Mohammed Khan :—

"This Praja Sabha recommends to the Council that the zamindars should either be paid for the leaves of their mulberry trees or the land-revenue of land rendered uncultivable by the shadow of these trees should be remitted."

NOTE.—The following amendment submitted by S. Budh Singh was also read out by the Assistant Secretary :—

The word "either" and the words "or the land-revenue of land rendered uncultivable by the shadow of the trees should be remitted" should be deleted from line two of resolution number four.

MAJOR MIRZA ATA MOHAMMED KHAN : Sir, I accept this amendment.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : All right. Please say what you have to say now.

NOTE.—On the Praja Sabha Sad's remaining silent for some moments, the Hon'ble President remarked :—

Have you to speak anything about your resolution or you leave that to Sardar Budh Singh ?

MAJOR MIRZA ATA MOHAMMED KHAN : No Sir, I shall speak. I have already informed the Chair that I accept the amendment.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Yes you have informed that the amendment has been accepted by you. (Laughter)

MAJOR MIRZA ATA MOHAMMED KHAN : Hon'ble President I rise to move this resolution in the House today. I want to submit that there are no factories in the State where the poor agri-

culturists could work and earn a livelihood and pay the Government land-revenue etc. As a result the condition of the zamindars is deteriorating and getting weakened. There is only one such institution, the Silk Factory, here. This is being run by the Government itself. Labourers there get their pays or wages according to the work they put in.

The cocoon rearers get sufficient wages even though they rear the cocoon after taking away the leaves of the mulberry trees of the zamindars. Mulberry trees grow in the fields of the zamindars. They naturally cover (and render useless for cultivation purposes) parts of the land. Crops cannot be grown in their shade. Birds take shelter in these trees and are therefore a source of considerable damage to the crops.

The zamindar is the only unfortunate creature, who in spite of the others being benefited remains unbenefited as yet. It is on the mulberry tree which he has himself grown that the silk factory depends and the Government is getting quite a good profit from that trade. The zamindars keep the interests of the Government in view. They do not harm the trees in their fields. Instead they plant fresh plants and protect them. They hold to the hope that someday the Government will appreciate this work of theirs and pay for the leaves as it pays the other workers in the Sericulture Department.

If the zamindars did not make the leaves available by growing trees in their fields, it would be difficult to run the Sericulture Department. It is the zamindar alone who has gone on supplying leaves ever without compensation His services in this connection are very valuable and it is important that this should be realized.

How very old the Sericulture Department is? What is the number of mulberry trees that have been planted during these years by this Department? The reply must be in the negative. It will, therefore, be understood that it is because of the zamindar that this Department has been going on, till now.

It would be proper to put a stop to the practice of taking leaves gratis from the zamindars. Will their services be appreciated? Will the Sericulture Department fix the price of mulberry leaves and pay every year at the time of cocoon rearing for the leaves that may be taken from the different fields. This ought to be done to encourage them.

It will also induce them to make their best efforts for the growing and nurturing of mulberry trees. They are disheartened (as at present) and this will stand in the way of the growth of the trees. With these words, I move my resolution and I hope you will pass it with an overwhelming majority.

SARDAR BUDH SINGH : Sir, Major Sahib has accepted my amendment to the resolution moved by him and the amended resolu-

tion stands as under :—

"This Praja Sabha recommends to the Council that the price of the mulberry leaves should be paid to the zamindars".

I want to place before the House a brief history of the leaves of the mulberry trees and the Silk Factory.

The circulars, rules and Regulations which have been framed by the State according to their own will before the Praja Sabha came into being are most injurious and inequitable. A Regulation relating to the leaves of the mulberry trees has been framed according to which nobody has a right to cut the mulberry trees belonging to him and to utilize the timber and the leaves in spite of the fact that these trees grow on their lands. This state of affairs is putting the people to great hardships.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) (to Sardar Budh Singh) : I hope there is no statute about it and if there is a statute there cannot be a resolution regarding it.

SARDAR BUDH SINGH : This is an "order".

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You spoke about a Regulation.

SARDAR BUDH SINGH : This order is more stringent than a Regulation or a law and it is punishable with fine.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) (addressing to the Hon'ble Revenue Minister) : I am not quite clear about it. I think I made an inquiry from you on the subject and you said that it was not a statute but an order. If it is a statute there must be a bill to repeal it.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : It is an order.

SARDAR BUDH SINGH : I asked many questions and stated that the restrictions imposed upon mulberry trees should be removed and the zamindars be saved from loss and trouble and Sardar Hari Singh also moved a resolution and bill with a view to amending the Regulation relating to the mulberry trees but permission was refused to him and in spite of a great hue and cry from the people, this restriction has not yet been removed. Nowhere in the world have I found such an injustice and oppression that a civilized Government got anything free of cost from its subjects and derived benefits therefrom. Here in the State there are special restrictions imposed upon growing poppy and preparing opium from it and the manufacture of wines on account of the fact that the Government themselves want to derive profit from the sale of opium and the wines because these are intoxicants and there is enough saving from them even after deducting the pays of the establishment. The price of opium is paid to those zamindars who cultivate poppy in their fields but on the other hand no price is paid for the mulberry leaves for running

the Silk Factory and the cocoon rearers are empowered to get mulberry leaves free of any cost. The Government do not pay anything to the owners of the trees in spite of the fact that it derives a lot of profit from the mulberry leaves. This case is similar to that of an influential and wealthy man desirous of starting a cloth manufacturing factory and who has been empowered to get cotton free of cost from any place whatsoever and thus he can run his factory. He can order his employees and workers to bring cotton by force from any person and any place whatsoever and without paying any price for it. In this way the cocoon rearers get the leaves of the mulberry trees belonging to the zamindars without paying any price and in accordance with the Government orders, with these leaves the cocoons are reared; and the cocoons when ready are taken to the Silk Factory where silk is manufactured. Besides, the Department reaps much advantage in the form of the pays of the employees and handsome salaries are given to the establishment. It is said the Silk Factory has been started for the advantage of the zamindar who rears the cocoons. There is no doubt about it but all the zamindars do not rear the cocoons and nobody has a right to get the mulberry leaves free of cost from those zamindars who do not rear the cocoons. All those zamindars who rear the cocoons do not own mulberry trees.

Morever the use of the leaves, branches and wood of these trees is not allowed even for the purposes of agriculture; for building houses and for the use of the cattle even in those places where, on account of the climatic conditions, the work of rearing cocoons cannot be practicable.

For instance, in spite of the fact that the work of rearing cocoons is practically nill in the Illaqa of Deva Batala, the restrictions relating to the mulberry trees are similar to those Illaqas where the work of cocoon rearing is successfully carried on. The Hon'ble Revenue Minister in reply to a question stated that he could not say as to when the Illaqa of Deva Batala will be exempted from the law relating to the use of the mulberry trees or their leaves, so that it is not known when this Illaqa will be freed from the troubles and losses arising out of this law. It is strange that restrictions have been imposed in spite of there being no necessity for doing so. And when the work of rearing cocoons has not been carried on there uptil now, how is it that it has become possible at present. It is a sheer injustice to keep the zamindars involved in troubles and miseries on the basis of mere hopes.

Under the present circumstances the mulberry trees are nothing less than the police constables and the military soldiers. Nobody can look at them. If one touches them he is afraid of being prosecuted and fined. Any person who owns such trees cannot at all despite great necessity cut them, nay he cannot utilize their leaves

and branches. If he requires these leaves for the use of his cattle on account of the scarcity of fodder or when he needs its branches for making baskets and if he makes use of them he is prosecuted and fined, his wood is confiscated and the poor fellow wanders here and there in the Law Courts. If he requires timber for building a house or to use it as fuel, he can neither utilize nor cut the dried mulberry trees without obtaining permission.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : I am afraid, this is outside the resolution.

SARDAR BUDH SINGH : What I mean to say is that all the mulberry trees wherever growing and in whosoever's possession are considered to be the property of the Government in spite of the fact that those are the property of the zamindars. What a tyranny and injustice it is? And as has already been stated, this evil has been thrust even upon those Illaqas where the rearing of cocoons is not at all carried on.

We want to get these rules cancelled as a whole, but at present it is desirable that orders for paying the price of the leaves of the mulberry trees should be issued and those villages where the mulberry leaves are not required should be exempted from these restrictions. God forbid, if a mulberry tree falls, on account of a storm, on the road or in a field, none can remove it from there, even if it remains there for six months and block the pathway or may be a source of hindrance in ploughing the land. And if a tree is about to fall or falls on the roof of one's house or in one's courtyard, it is not allowed to be cut or removed from that place.

There have been thousands of cases wherein the owners of the mulberry trees were prosecuted and fined and the charge against them was that certain persons had cut the branches and utilized the leaves of the mulberry trees belonging to themselves. The leaves serve as fodder for the cattle while the branches are required for making baskets but the owner of these trees is not allowed even to touch either the leaves or the branches.

My submission is that price must be paid to the people in lieu of their property taken by the Government. To get anything forcibly without paying its price is not permitted by law.

Every zamindar and owner of the mulberry trees is held responsible for protecting and nurturing them but the profit is enjoyed by the Government and the cocoon rearers. It has also been found that somebody chopped the branches and leaves of the mulberry trees belonging to another person and took them away and the owner was fined for it and he is compelled to look after these trees. How strange it is that the owner cannot derive any benefit from these trees although he is responsible for their protection. It is cruel and unjust to put upon him the responsibility of protecting these trees and at the same time deprive him of the price of the leaves.

These trees are proving to be a great nuisance for the zamindars. Neither do they rear the cocoons nor can they utilize them for their own use. If the crop of a zamindar fails or if he suffers a loss otherwise, it is possible for him to bear it but they always suffer an annual loss of Rs. 2 or 3 of the produce of that land on which the mulberry trees grow and which approximately comes upto 10 marlas.

It is the third loss which the zamindars have to suffer that is they have to bear that loss under compulsion. We have no objection if, in order to run the Silk Factory, the Government attaches great importance to the mulberry trees and finds them useful for the purpose, they may do so and reap the greatest advantage from it, but it must be submitted that when so much profit is derived by the Government from the mulberry trees in the manufacture of silk and when such a big expenditure is borne in the form of pays and other material, it is necessary that the price of the leaves of the mulberry trees should be paid to the zamindars. Under the present circumstances when the mulberry trees are proving to be a source of loss and trouble to the zamindars they are out to destroy them and are strongly opposed to the idea of growing new plants which will result in a loss to the Silk Factory. Every one who neither rears the cocoons nor is permitted to use leaves, branches or wood of the mulberry trees looks upon them as his enemies. If the zamindar excepts to reap some benefit from the mulberry trees like the other fruit-bearing plants, he will not consider it to be his enemy and injurious to his interests, but on the other hand, he will pay more attention to it and will improve it. Formerly the responsibility of protecting them was forced upon him but if he could be made consider it to be useful, he will gladly look after them.

Under the Regulation relating to the mulberry trees the zamindars are put to great hardships by the employees of the Revenue and the Sericulture Department. The owners of these trees consider them to be vexatious things. I hope the Hon'ble Revenue Minister and the Government will pay special attention to this matter and will do justice because of the fact that the owners of the mulberry trees are experiencing great loss and inconvenience. Justice demands that you should pay the price of the mulberry leaves and then you may carry on the work of rearing cocoons. I want to make it clear that those persons who rear cocoons consider themselves to be the employees of the Sericulture Department and they chop-off the leaves and branches of the mulberry trees belonging to each and every person. They cut not only the small branches and leaves but big branches also and thus accumulate a lot of fuel for their own use while the owners of these trees are deprived of both the wood and the leaves but are bound to take care of them

and nourish them. What a great injustice? If any body prohibits these cocoon rearers, they behave very harshly and get leaves by force and say that there are Government orders to the effect that they should get mulberry leaves from any place and according to the requirements and that they are legally entitled to get the leaves free of cost. Since these trees are considered to be the property of the Government and the Government have allowed free liberty to the cocoon rearers, therefore they do as they please.

I found a mulberry tree growing near a spring of water which afforded shelter to the weary traveller and the animals also after drinking water took shelter under its shade in the scorching heat of the sun, but its branches were cut down by the cocoon-rearers and in the same way wherever shade is most needed, for instance if there is a mulberry tree in someone's courtyard even when it is laden with fruits, its leaves and branches are chopped off and thus the owner is deprived of deriving any benefit from the fruits and the shade. Branches and leaves of the mulberry trees growing even in small gardens are removed and this is done in the months of Baisakh and Jeth when it is terribly hot. I asked a question to the effect as to how many persons were prosecuted uptil now for the infringement of the rules relating to mulberry trees and the amount of fine levied upto the present time, but these figures were not supplied to me. Thousands of rupees have been realized as fine from the zamindars who owned mulberry trees. It is a strange law that a thing belongs to one but its benefit is derived by another. The cocoon rearers are paid for preparing cocoons; it is quite a different thing as to whether they get full or less price but they forcibly cut the leaves of these trees belonging to any person.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Does not the zamindar rear cocoon?

SARDAR BUDH SINGH : Yes, he rears cocoons with the leaves of the mulberry trees belonging to other persons and he pays them nothing. All cocoon rearers have no mulberry trees of their own. Therefore strict instructions should be issued to the cocoon rearers that they should pay the price of the leaves and branches to the owner of these trees and that they must pay the price to the zamindars. But this should be made known to the owners of the trees also that nobody has a right to get the leaves of the mulberry trees free of cost and the full liberty which has been given to the cocoon rearers by the Revenue and Sericulture Department should be withdrawn entirely. And as soon as it is made known to the cocoon rearers and the owners of the mulberry trees that the latter can demand the price of the leaves and the former are bound to pay the price, then this complaint will be removed. When the owners of the mulberry trees will begin to get the price of the leaves, they will not only look after them and value them but at the same time will

plant new trees which will prove beneficial to the Sericulture Department.

Paying the price of the mulberry leaves to the zamindars and to acquaint them with the importance of the mulberry trees is in every way profitable to the Department. Therefore while supporting this resolution I would like to state that when orders for paying the price of the mulberry leaves are issued, the restrictions imposed on those Illaqas where the work of cocoon-rearing is not carried on, should also be removed.

PANDIT RAM CHANDRA DOBEY : There are areas where no cocoons are reared yet the prohibition is applicable there. Where cocoon-rearing is not conducted the use of trees should be left free to the zamindars and they should also be allowed to cut trees and make use of them for purposes of fire-wood.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Unfortunately that is not the resolution. This is not included in the resolution. The resolution is "that the zamindars should either be paid for the leaves of their mulberry trees or the land-revenue of land rendered uncultivable by the shadow of these trees should be remitted".

PANDIT RAM CHANDRA DOBEY : Leaves are of two kinds. One the real leaves and the other those leaves which serve no purpose. Prohibition has been made with respect to leaves of both the kinds.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The resolution asks for payment for all the leaves that may be taken.

PANDIT RAM CHANDRA DOBEY : Zamindars are prohibited from meddling with leaves of any kind. They are not paid for even those leaves which are taken from them for purposes of cocoon-rearing. The zamindars should be paid even for those leaves which are useless for purposes of cocoon-rearing and the use of which by the zamindars is also prohibited. They should either be granted permission (to make use of the leaves) or they should receive compensation.

LALA HANS RAJ : Cheers, cheers.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : I could not understand this discussion. So far as this resolution goes, I understand that it asks for payment for all leaves that may be taken. The resolution only asks that mulberry leaves should be paid for or that the revenue of land which comes under the shade of these trees should be remitted.

PANDIT RAM CHANDRA DOBEY : This question of leaves has two sides. Firstly that leaves which are useful, be taken ; secondly the zamindar is prohibited from the use of even those leaves which are not useful for purposes of cocoon-rearing. Therefore they are almost equally considered to be like the first. Compen-

sation should hence be paid to the zamindars for all leaves from the use of which he is prohibited.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The resolution clearly lays down that payment should be made for all the leaves that may be taken. The resolution does not say that compensation should be paid for the prohibition.

MAJOR GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : The resolution is limited.

MAJOR MIRZA ATA MOHAMMED KHAN : I mean exactly what the Chair says.

LALA HANS RAJ : Formerly there were Shisham trees in the State. "Gaddas" were made from these.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : "Gaddas" (Asses).

MAJOR GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : No. Bullock carts. (Laughter)

LALA HANS RAJ : Why do you laugh. Is it a matter for laughter. The bullock carts were made from Shisham wood. Nobody would cut the Tali wood. It was deemed an offence All Tali wood was considered to be State property. This continued for a long period. Later on when bullock carts were needed no longer, this law was cancelled. In the British territory, moreover there is no such law which declares all mulberry trees as State property. In certain places in the State mulberry trees can be grown so extensively that all the requirements of the Sericulture Department can be fulfilled. The Government ought therefore to have mulberry trees planted in such areas by the zamindars through the Agriculture Department. The zamindars ought to receive compensation. But it is a pity that Patwaris institute false petty cases against these very people who plant the trees and the Patwaris thereby keep troubling them for days together. As a result of the Patwari's displeasure the Magistrate keep troubling the zamindars for many years. They await bribes. At last the poor zamindar raises a loan from the Sahukar and gives the bribe. Only then he is freed. I agree with Sardar Budh Singh. (Laughter)

You should be ashamed. What can you gain by making fun every day. It is a pity that there should be so much joking in this House. (Laughter)

This joking serves no purpose. It only distracts one's mind and entails a waste of time. You are not aware of the real conditions. You do not know the conditions of the poor. This law should be cancelled like the Shisham Law.

LALA SHIV NATH NANDA : You say that the law should be cancelled. But that is not what is asked in the resolution.

LALA HANS RAJ : I am just giving details to acquaint the House with the troubles of the people.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : We hear the story of the sorrows of the subjects every day.

LALA HANS RAJ : These people do not visit the villages. They do not therefore know of the troubles of the villagers. I submit that the law is a source of injustice. People get involved in litigation. The produce is taken from them. No compensation is allowed for that. Is this justice?

PANDIT JIA LAL KILAM : Has the Praja Sabha Sad supported or opposed the resolution?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : He has supported all for their woes.

LALA HANS RAJ : Praja Sabha Sad's sence have been overturned. (Laughter)

PANDIT JIA LAL KILAM : Sir, he sometimes resorts to calling names.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : He belongs to the same profession as you belong.

LALA HANS RAJ : It is not proper to talk irrelevant like this.

SARDAR HARI SINGH : I would submit briefly that at the time of Settlement land which comes under the shade is not assessed.

MAJOR GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : This is not the point under discussion.

SARDAR HARI SINGH : No, I mean it has not been assessed every where. In places where cultivated land is never uncultivated, land compensation has been given. There are instances in which no compensation has been allowed. The mulberry tree is a good thing. In places where there is a cluster of ten or twelve mulberry trees, compensation should be granted.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : From your speech one concludes that compensation should only be granted in places where there is an abundance of mulberry trees.

MIAN AHMED YAR : This is out of order.

SARDAR HARI SINGH : In places where there are two or three mulberry trees, no compensation need be granted.

MAJOR GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : This is partial support.

SARDAR BUDH SINGH : It is opposition.

A VOICE : Irrelevant.

MAJOR GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : Sir, I believe there are some gentlemen here who still feel some difficulty in understanding this matter. It is not a fact that mulberry leaves are taken without being paid for. I rise to remove this misunderstanding. The mulberry trees grow in various parts of the zamindar's land and their number also varies. Some zamindars own two, others four, some others eight, ten or twenty mul-

berry trees and these trees grow throughout the land.

What is the method of cocoon-rearing? One packet is divided at the most into three or four parts. It suffices for the whole village. If it is divided into four parts each is enough for twenty-five mulberry trees. Now a man who owns two or three trees only cannot get any part of it. If it could be divided into many more parts, every zamindar would be benefited and there would have been no cry. Every body could then take up the work of cocoon-rearing. A zamindar with two or three trees only can at present get no part of it. The result, as I have seen, is that his mulberry trees and their leaves are all taken from him. So also in a village only two or three zamindars out of a hundred can rear cocoons. The reason is that there is no room for more and naturally there is jealousy. A man who owns two or three mulberry trees and gets nothing of the packet scolds another who has got a part of it and rears cocoons if his son falls ill and dies. They reproach him for rearing cocoons and say "reap the consequences of it". I have myself witnessed all this. Another point as said by Lala Hans Raj is that once the State made bullock carts and had provided factories for that. It is quite correct that all Shisham trees were under State control. But when the State gave up the making of bullock carts, no restriction was placed on Shisham. The Silk Factory is still being run. Therefore State control is needed to some extent. We should think what the fate of this factory will be if State control is removed.

I asked a question from the Director in the Exhibition that Mysore produced a good deal of silk before and competed with us; and how do matters stand now. The Director replied that they had failed and we have succeeded. I asked him if there was no State control there. He told me that in a place where there is no State control different kinds of yarn are produced. People who have their own machines usually find their yarn rejected It is ever said that these machines have no coverings. It is therefore necessary to have State control. As long as the State does not take up the work of cottage industries, State control must exist. For that purpose it is necessary to "impress" the leaves. But it is again an injustice to take the leaves away from somebody without paying for them. (Cheers)

During my tours as Revenue Minister I also felt that people be paid for their leaves. I made a scheme and kept a note also that leaves should be paid for. I had made a note only as yet when two or three things cropped up in my mind that apart from the work of rearing cocoons, zamindars feed their animals also on these leaves and it is likely they may refuse. It would be difficult to maintain any State control then. I also thought that I would order that people getting their leaves through the agency of the State

would receive low rates for their cocoons and for those who procured them without the assistance of the Government high rates for cocoons would be fixed. Every body would then try not to get any leaves through the State but to procure them direct. Leaves by themselves are an ordinary thing. But a person from whom they would be taken would have either to be flattered or say he be paid the price. I submitted that scheme. Unfortunately it could not be sanctioned. Therefore if you can draft any scheme it would be a good thing. (Cheers)

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : Mr. Persident. The resolution before the House is that zamindars should be paid for their mulberry leaves. For the information of the Praja Sabha I would like to say that under Section 46 of the Land Revenue Regulation mulberry trees have been declared as "Reserved". It is these mulberry leaves by means of which cocoons are reared. This is a source of increase in the income of thousands of zamindars in the State. If this restriction had not been imposed it was likely that the owners of mulberry trees would have hewed them down mercilessly. That would result in a loss of lacs of rupees to thousands of zamindars. The members of the Praja Sabha will be glad to know that the Sericulture Department has already decided that as far as possible cocoons should be distributed only among owners of mulberry trees. Those who do not own mulberry trees should fulfill their needs by making use of the leaves of trees which grow on Khalsa lands, on roads or the banks of canals. In places where there be a deficiency of such Khalsa trees, the Sericulture Department should arrange for the plantation of such trees in the above mentioned Khalsa areas. Instructions may also be issued that in the case of a cocoon-rearer desiring to get leaves from another person, the leaves should be secured after obtaining the consent of the owner and if he does not give his consent, they should be paid for. This means that the object of this resolution that mulberry trees should be paid for will be fulfilled by these instructions. The Government, therefore, accepts this resolution.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The motion is accepted bv the Government.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : For the pavment of the mulberry leaves.

MR. PRESIDENT (The Hon'blee Sir Barjor Dalal Kt.) : Now comes Resolution No. 5 of Moulvi Mohammed Abdullah.

NOTE.—The Assistant Secretary read out the following resolution of Moulvi Mohammed Abdullah :—

"This Praja Sabha recommends to the Council that arrangements be made in the cities and towns for teaching useful arts to Pardanashin ladies, other than those who read in schools so that they may form a useful part of the society."

MOULVI MOHAMMED ABDULLAH : Sir, the Government has

already accepted this resolution. I submit it here now for the information of the House. In the very first sessions, I asked the Government what arrangements it had made for teaching such useful arts and crafts to women which could enable them to earn their livelihood. The Government stated that no demand to this effect had been made. I submitted if a step like that could not be taken without there being a demand first. The Hon'ble Home Minister replied that even a mother does not suckle its child unless it weeps.

I would also submit that there is a mistake in translation. The word "*Masturat*" can be used both for those who are *Pardanashin* ladies and those who are not so. "*Masturat*" is not to be translated to mean "*Pardanashin*".

MR. PRESILENT (The Hon'ble Sir Barjor Dalal Kt.) : Upto this time you were speaking about "*Pardanashin*" ladies only.

MOULVI MOHAMMED ABDULLAH : Sir, this is a misunderstanding. "*Masturat*" may mean any ladies. It means females in reality.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You mean that the word "*Pardanashin*" should be deleted.

MOULVI MOHAMMED ABDULLAH : Yes, the word "women" should be inserted. I would submit that society has two wheels ; man and woman. One of the chief causes of poverty in the land is that it is generally understood that women should be kept unemployed and men alone should be fitted to earn a livelihood. I will again submit that society has two wheels. If one of the wheels is out of order, the carriage cannot go on. This is one of causes of our poverty that one man alone earns and he has to support many young children and some women. Because of this burden and the decreasing means of income, poverty is increasing. It would lighten this burden if arrangements could be made to teach useful arts and crafts to women.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Who will work in the house then?

MOULVI MOHAMMED ABDULLAH : In Bombay I have seen the women doing a lot of work even while they are at home. They earn a good deal of money thus If they are taught useful arts, they will be enabled to earn money and people can do the work of home. I have not included rural areas in this because the village women work in the fields along with their men. They also work at home. They cook their meals. But women in towns are not taught any useful work. They therefore waste their precious time in idleness. The Government has accepted this. But I would like to submit to the House that unemployment is the chief cause of world poverty and it is because of poverty that unemployment is ever on the increase. It is caused because women have no

work to do. Poverty and unemployment can be done away with if women are taught useful arts. We have instances. It is not a new thing. In progressive countries women work shoulder to shoulder with men in everything. In Japan and other countries women have become a useful part of society. Different crafts and industries are taught there.

MAJOR GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : They are taught to play bridge also.

MOULVI MOHAMMED ABDULLAH : I would submit that the Government should prepare a scheme which remove this inconvenience and enable women to be a useful part of our society. I have used the word "useful" because in the past, women used to spin. But that is no longer useful now. Times have changed and tastes also along with that. The old world of old ideas has passed and with it society has also changed. It is therefore important that they should be taught crafts and industries or some other useful work according to the dicates of the time

LALA SHIV NATH NANDA : What other useful arts for instance?

MOULVI MOHAMMAD ABDULLAH : Embroidery, painting, tailoring, shoe-making. all work that can be done at home. All this is done by men now. But in reality this work falls to the sphere of women. Until women are taught some useful work, poverty cannot be removed. Useful means of activity for females should be found in this country as they are found in other countries. If you carefully consider you will find that every man has a woman in his house. How useful would it be for the man if she knew handwork.

A VOICE : Experience has also shown that women beat their husbands with shoes too at home. (Cheers)

MOULVI MOHAMMED ABDULLAH : Cultured women do not beat their husbands with shoes. Shoes may sometimes be used in some houses but not in the houses of cultured people. The only object of teaching arts and crafts to women is to make them useful members of society. All women do not become graduates. Some of them do want to have some useful work and utilize their time in it. With these few words I move this resolution in the House.

SARDAR KANHAYA SINGH : I would like to say a few words, Sir, in support of the resolution of Moulvi Sahib. It was a custom of the past for women to work side by side with men. They worked at the spinning wheel and other things. The people lived content. With the march of time the spinning wheel and other things have got out of use. Naturally our women became unemployed. They became victims of disease because they did not work. Now all their work is restricted to the cooking of meals. Because they do not exert their bodies even their offspring is weak now. There is there-

fore a great need for making women work according to the needs of the day and proposals should be thought of which may be for our good and which may lead to general welfare. In progressive countries women are also asked to work in useful directions. In the past female education was not in fashion. Now girls are receiving higher education. In ability they march along with men. It is therefore a necessity that our Government should also put such schemes into practice so that women can also do some useful work and add to their earnings. As pointed out by Moulvi Sahib women of the cities and towns alone are unemployed. The zamindar's wife works hard. She works side by side with him in the field. She lightens his burden of labour. Zamindar's daughter, daughter-in-law and his sister are physically strong. They all work. The trouble is confined to cities alone. The resolution is useful. The Government should put it into practice so that women may also be enabled to do some useful work.

LALA HANS RAJ : With regard to the resolution I would submit that the responsibility for this does not fall on the Government. Women in towns are more easy-going because there is more money in the towns and the cities. It is all due to an increase in wealth. It is the duty of the society alone to attend to this matter. It is not the duty of the Government. Society should itself start a reform in this direction, the Government should not meddle with the private affairs of people. This work falls to the men to do. (Cheers)

I would submit that if the Government interferes in this matter, are they prepared some day to drive women away from their homes? It is not proper to start this compulsory instruction for women nor is it proper for the Government to interfere. It is our duty to find ourselves the ways and means for our betterment. Even Moulvi Sahib, old as he is, can attend to this work and start reform. The village women work along with their men. The shoe-makers and others all perform their allotted task. In short every one is adopting some profession. In my opinion the Government should not interfere in this matter.

MIAN AHMED YAR : The resolution under consideration seems an ordinary one on the surface. But it is so useful that it can bring about a revolution in the economic life of the land. We should all know that the women of other countries compared with the women of this country are very highly advanced. In a progressive society all men and women work together and this is the principle which governs national wealth. In our country women who form half the population of the country are unemployed. They consume the earnings of their males. Moulvi Sahib has very wisely kept the rural areas out of this resolution. The village women undoubtedly remain busy in their work. Japan has been cited as an instance. Japanese men and women receive instruction in arts and crafts in the

factories which are under Government control The women there earn themselves. They attend to their children. They provide expenses for all occasions of joy or sorrow. The women has, in short, been made a very useful part of society. Lala Hans Raj has talked against this resolution and stated that the Government will next turn women out of doors. This question does not at all arise. That depends upon the changes of time. Every society has the right to protect the honour of its females.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Now-a-days even men to say nothing of women, complain for want of employment.

MIAN AHMED YAR : We should always keep in view the example of Japan. You must be aware of the progress that Japan is making in its arts and industries. Women contribute very largely to this success.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Women here have not got to take much trouble. After education they become teachress in schools.

MIAN AHMED YAR : I am grateful to the Hon'ble President for having kindly invited my attention to the fact that here women generally work as teachress. I would submit that they should not become teachresses alone. They should combine with men in arts and industries and contribute towards the production of capital. They should help their husbands. They should learn crafts which may be useful to society as well. They should never think that they will compete with men. Women form an essential part of society. They should therefore try to be useful to society. With these few words I strongly support this resolution.

SHEIKH MOHAMMED AMIN : Hon'ble President ! I have not got up to deliver any lengthy speech. The object of Moulvi Sahib's resolution is that women should be taught useful arts and crafts. I many times get an occasion to go to Bombay and Calcutta. I have seen that in these places there are many factories where women alone work. They do not work the machinery only. They work in offices too and undertake sales etc.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : I am against women starting a competition with men. (Laughter)

SHEIKH MOHAMMED AMIN : Sir, it is not a question of competition. You will see that women form at least one-third of all the workers there. Many mill-owners have opened schools in those places where arts are taught to women, so that they may be able to work in factories and help men and become a (useful) part of society. I would therefore submit that women should necessarily be taught industrial work. I therefore support this resolution

SARDAR BUDH SINGH : Sir, the resolution which has been

placed before the House should not be looked upon as an insignificant one and laughed to scorn. This resolution is very important. Unfortunately on account of early marriages among the Hindus a large number of women become widows. Many poor women and especially widows who have no source of maintenance and who do not get any help from any quarter have to earn their livelihood either by taking to some sort of labour or doing needle work. Thus I have seen many widows earning their living either by receiving some pecuniary help from any rich man or by sewing clothes and some of them are even giving higher education to their sons in the colleges. With regard to the statement of my respected friend Lala Hans Raj that it is not the duty of the Government but that of the society, I would submit that any work whether it is for the good of the public in general or of an individual requires in the first place ones own efforts, secondly the help of the parents, thirdly the help of the human societies and lastly the help of the Government. But when one lacks funds, is helpless for want of education, is deprived of his parents and when even the society does not give any help, it is the duty of the Government to make provision for the maintenance of the poor and the widows. There are many societies and individuals who are helping these widows. There are many social evils such as tobacco-smoking, drinking liquors, child marriage, and traffic in women which the society has not been able to eradicate as yet and for which the help of the Government was sought and requests in this behalf are made to the Government every now and then. And we know not why the human society has proved to be so selfish that there are very few who feel pity and give any help to the poor but on the other hand there are many who look more to their personal interests. Unfortunately we are helpless at this time. But when we shall have a right to shape our destiny, I will be the first man not to seek even the help of the Government for enforcing such a regulation. But so long as these poor and helpless women are not helped and looked after, it is the duty of the Government to impart instructions to them in some useful arts in order to enable them to earn their living. This will help in removing unemployment and at the same time it will put an end to the helplessness and misiries of the poor women. When there is an Industrial Department, when a law has been passed and a board appointed there should be no difficulty if some funds are earmarked from this Department for providing help to such poor women and widows and instructions in some arts be given to them in different towns and villages.

Two years ago, I saw some hand-made articles in Kashmir Exhibition and a woman was sitting and exhibiting those things. On my asking her as to who made those articles, she replied that those were made by the poor women and the widows. I felt surpriz-

ed at this and from that time I had an idea that some help should be given to them and it is that idea which has impelled me to say something in this behalf. I am not familiar with these works, but since I feel that there are many poor women and widows who deserve help and it is the duty of our Government to give them every help and the best way to help the poor is to enable him to earn his livelihood, therefore it is the work of every one of us, and it is one of the responsibilities entrusted to us, otherwise the results of unemployment and especially of the helpless women are far from being satisfactory. What is religion and respect to a poor slave?

It is very difficult for a person who is on the verge of starvation to preserve his self-respect. The fact that it is the work of society is a good idea but as I have already stated the condition of the society also is very strange these days and, how can they render any help to the poor and if any kind-hearted and noble person gives any help, it is not permanent. I have some influence among the well-to-do persons and they either on account of some regard for me or considering it to be a noble cause give them some help. Thus I contributed two or three rupees from my own pocket, got some 20 or 50 rupees from my friends and other kind-hearted persons and with that provided work for the poor women and widows. I found that there were about 20 Hindu widows in a certain village while the number of Muslim widows is very small. But in another village there were some poor Muslim women whom I provided with some cotton for spinning so that they may be able to earn their livelihood. But this work lasted only for a year or two and after that the help was discontinued. Now they ask for work and are very much hard-pressed but no work can be provided to them for want of funds. Those who can work are not provided with any work and no training is imparted to those who want to take to some kind of work.. And no help of any sort is given to them. Therefore it is very necessary that steps should be taken to provide work for the poor women and widows and arrangements for disposing of articles made by them should be made and help given to them in purchasing sewing machines Thus if they can take to needle work, sewing clothes and hosiery work they may be able to earn their living. I hope in view of its importance, this resolution will be passed and therefore with these words, I support this resolution.

LALA SHIV NATH NANDA : Hon'ble President ! I would not have spoken on this resolution. But since a controversy between the teacher and the pupil has arisen here, I will speak.

SARDAR MAL SINGH : Not teacher and pupil but "Guru" and "Chela".

LALA SHIV NATH NANDA : No. The words teacher and

and pupil were used yesterday.

LALA HANS RAJ : This discussion should not be closed till my reply is also heard.

LALA SHIV NATH NANDA (continuing his speech) : It is an old custom among the Hindus that women apart from helping in the performance of other domestic duties do needle work etc. also. The Pandits have a Vainta Ashram. To provide work for widows Government also gives aid. A Women's Welfare Association has also been established. Lady Dalal, the wife of our Hon'ble President is the President of this Association. I have received many letters from her that widows should be given that sewing work which would go to tailors. I have given about three hundred rupees as tailoring wages to these widows through this Association.

MAJOR GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : The women about whom mention is being made are not even allowed entrance into this Association.

LALA SHIV NATH NANDA : It has been suggested that women should be taught to work here as they do in Japan. How can this be done here? Educationally we are backward here. There is practically no adult female or child education here. In Japan education is very widespread Japanese women wash and educate their children themselves and then make fans and flowers. The Government does not teach them. Work is carried on by the aid of subscription etc which the Government gives to different societies and Associations. It is our duty to teach our women how to work and then to get work out of them. Women in Srinagar do needle work etc. I do not know anything about Pandits, but many of my friends know that our women here do embroidery and stitching work at home. It is not proper for us to extend our hands to the Government asking that our women should be taught work. Time will come when the Government will frame a law to punish those women who do not work. I have had opportunities of going to Bombay and Calcutta and other places with His late Highness Maharaja Sir Partap Singh Ji. I have made a tour of the whole of India. Women have no purdah there. There is freedom. Educationally they are advanced. Therefore they can work freely in factories and other places. Factories cannot be started at home. We want that our pardah should remain intact. Ever since the pardah has been discarded and women who have discarded it say "wait a little. Let us have tea. 'We have got to play bridge". There are factories here also which have been started by the Government. Women work in the Silk Factory for instance. The annual expenditure there is twelve lacs. But how many women workers have they got.

KHAWAJA GHULAM MOHAMMAD SADIQ : Women do work in the Silk Factory.

LALA SHIV NATH NANDA : How many are there? They are not more than three or four and even these come from villages.

SHEIKH MOHAMMAD AMIN : Point of order, Sir. There is no question of purdah here.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The question is about those who are in purdah because purdah system is in vogue here

LALA SHIV NATH NANDA : I believe that a time is coming when it will be hard to have enough bread until all the members of the family work. I believe a time is coming when unless we work with all our family we shall not be able to eke out a living : we will not be successful. Trade in future will not provide us with our livelihood. It will be out of the question for the Government to help us then and for us to extend our hands and invoke kindness or help.

KHAWAJA GHULAM MOHAMMED SADIQ : The Government is our representative.

LALA SHIV NATH NANDA : Yesterday also it was your Government. I ask the Government for a contract. I submit my tender. Even when my tender offers the lowest rate, I am not given the contract. The Minister also sees that the rates in Nanda's tender are low. In spite of this the contract is given to three Muslims and this is the kindness shown to me.

However, the point at issue now is the work that women should be taught. I agree with all that my learned friend Sardar Sahib has stated. He has said that there are many women who work on machines. They sew clothes. In Jammu there really are women who have purchased machines after securing grants. Who are these women? They are helpless widows. These women should be helped. Ashrams should be built where training can be imparted to them. I do not agree with the assertion that it is the duty of our Government (to teach our women various arts and crafts). I do not therefore support this resolution.

SHEIKH ABDUL HAMID : Sir, I have carefully read and thought over the resolution which has been moved by my friend Moulvi Mohammed Abdullah. I do not think that this resolution deserves support I will state a few reasons in the House for this. Many members in the House give expression to the opinion that the Government has levied so many taxes and that the people are in trouble and that the Government does this and the Government does that. In short they say whatever they like. But we should also bear in mind what expectations they have from the Government and whether the Government has or has not got enough resources to satisfy these expectations If the people or their representatives feel that they have an undue burden of taxes upon them, then such recommendations (as is clear from this resolution) also lay down a

heavy burden on the Government which it cannot bear unless more taxes are levied and means for an increase in income are found out. After that will follow the complaint that additional taxes are being levied on us (the people). That this is done or that is done. Moreover I would submit that in Jammu and Kashmir Women's Welfare Associations are in existence. Through these women, uplift work is being carried on and machines have been distributed to teach women to work.

KHAWAJA GHULAM MOHAMMED SADIQ : Have these machines been supplied by the Government?

SHEIKH ABDUL HAMID : I do not understand why you should not subscribe if you want that the work should be carried on on a large scale. This is not impossible. Even in the presence of this Association, other associations can be framed to work on the lines chalked out by it These can take up the work of women's welfare. I think there should be no interference from the Government in the private lives of these women. It would be a better way if the leaders of the country can come into the field for rural uplift work. On the occasion of his marriage, I talked to a friend about rural uplift. He promised to request his wife about this work and to move her to come into the field to carry on rural uplift work. After marriage I enquired why he had not started this work and he wrote to me a letter which I possess.

MOULVI MOHAMMAD ABDULLAH : You should tell us the name of that person or you should show us that letter.

SHEIKH ABDUL HAMID : You know him. There is no need of showing the letter.

I asked him why this work has not been taken up. He replied that they had once called some women together. But the cries of the women upset my wife and she did not approve of this sort of work. In reality this is work for people to do and it is their duty to do it. If they themselves cannot do this work, how can the Government interfere with the private lives of the people.

KHAWAJA GHULAM MOHAMMAD SADIQ : Why then do not you suggest resignation to the Government.

SHEIKH ABDUL HAMID : It would be childish to say like that.

KHAWAJA GHULAM MOHAMMAD SADIQ : His Master's Voice.

SHEIKH ABDUL HAMID : Everyone knows that the Government has started industrial schools for women. In the present schools women are taught needle work, dyeing, sewing and cooking and educated in other domestic necessities. They receive instruction in religion too. In short there is nothing to prevent us from benefiting from these schools. If a woman is really anxious to learn work there is no reason why she should not join one of these schools There is no need of making separate arrangements I would moreover submit that...

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Gentlemen. A letter has been received from the Minister-in-Waiting to the effect that a rehearsal of the Durbar will be held today at four o'clock. Work will therefore be finished by three-thirty P. M. today.

SHEIKH ABDUL HAMID : As time is about to expire, I leave off my speech at this stage.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Discussion will be resumed on 27th October.

The House then adjourned till Monday, the 12th October 1936.

JAMMU AND KASHMIR PRAJA SABHA.

Monday, the $\frac{12th\ October\ 1936.}{27th\ Assuj\ 1993}$

The Praja Sabha met in the Praja Sabha Chambers at Rajgarh Palaces at Eleven of the Clock. Mr. President (The Hon'ble Sir Barjor Dalal Kt.) in the Chair.

The Praja Sabha Secretary presented the following two newly appointed members before the Hon'ble President and they took the prescribed oath of allegiance :—

1. Mr. Jagat Parshad, C. I. E. (Accountant General).
2. Captain Kanwar Hira Singh (Political Secretary).

NOTE.—The Hon'ble President then read out to the House the following letter of His Highness the Maharaja Bahadur to his address both in English and Vernacular:—
(All members standing .

Srinagar, Kashmir,
10th October 1936.

My Dear Sir Barjor,

Please convey to all the members of the Praja Sabha my sincere thanks and appreciation for their loyal greetings and good wishes on my birthday expressed in the resolution which you forwarded to me with your letter.

I take this opportunity of sending you my best wishes for very successful session of the Praja Sabha now sitting. I hope all members will work in a manner as will further the ideals and aspirations which inspired me in my scheme for closer association of my people in the administration of the State. Let there be no occurrence inconsistent with the sense of the dignity of the House and I rely on every member to conduct himself with enlightened sense of public duty.

Yours sincerely,
(Sd.) Harisingh Maharaja.

(Cheers).

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : I have conveyed His Highness' message to you and would now like to place a matter before the House. I learnt from Mr. Dobey this morning that 30 members of this Sabha passed a resolution, in the adjoining room where they sit, about non-cooperation in the budget and sent a copy of it to His Highness the Maharaja Bahadur through the Hon'ble Minister-in-Waiting. This I believe is not the proper procedure because if the members of this House pass a resolution in this Hall or in the adjoining room and want to submit

a copy of it to His Highness the Maharaja Bahadur they should send it through the President and not through any other Minister. I hope that the procedure now adopted will be avoided in future.

QUESTIONS AND ANSWERS.

190. LALA SHIV NATH NANDA (Srinagar City :Hindu other than Kashmiri Pandits) : Is it a fact that the Khatri caste has been deprived of the agriculturists' rights in the State and the doors of Government service are closed upon them? If the reply be in the affirmative, will Government grant special stipends to Khatri youngmen for receiving industrial and commercial training so that they may be able to earn their livelihood in these hard times?

CAPTAIN KANWAR HIRA SINGH (On behalf of the Hon'ble Prime Minister) : (*a*) The Khatris have not been treated as agriculturists because agriculture has not been their hereditary protession.

(*b*) No, the doors of Government service are as much open to them as to the members of any other community.

(*c*) Does not arise.

191. MOULVI MOHAMMAD ABDULLA (Shah Hamdan Srinagar City :Muslim) : (*a*) Is it a fact that for the successful working of the Panchayat system and the rural reconstruction scheme in the State it is also essential that in addition to the Panchayat Officers, District Boards should be instituted?

(*b*) If the answer to (*a*) be in the affirmative, will Government state whether the Panchayat Officer had after having received training also submitted any report to the Government which also contained a proposal for the establishment of District Boards?

(*c*) If the answer to (*b*) be wholly or partly in the affirmative, will Government please state what action was taken on this report?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : It is too early yet to think of District Boards. Town Areas and Panchayats will form necessary training ground to equip people for District Board work. Both these institutions are still in their infancy.

(*b*) Yes.

(*c*) For the reasons given in (*a*) above, consideration of the proposal has been postponed.

192. LALA RAM LAL (Illaqa Poonch :Hindu) : (*a*) Will the Government please state as to whether a reduction in the provision for purchasing drugs for the Medical Department was made in the budget of 1992-93?

(*b*) If the answer to (*a*) be in the affirmative, it may please be stated as to how much reduction was made and what are the reasons for doing so?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) and (*b*)

Yes. A reduction of Rs. 2,500 was made in the provision for the purchase of medicines in the budget of 1992-93. This reduction was made after taking into consideration the actual expenditure incurred in the preceding year and also stopping the purchase of patent medicines.

LALA RAM LAL : Does the Department feel no necessity of buying patent medicines and is quinine also included among such medicines?

WAZIR FEROZ CHAND (Wazir Poonch) : Patent medicines are not supplied in charity hospitals.

193. LALA SHIV NATH NANDA : Is it a fact that the building of the State Hospital Srinagar is an old one and is quite inadequate to meet the present requirements with the result that even the doctors who have to examine the patients hardly find any room to sit and the poor patients are placed in a helpless condition? Moreover on account of the want of accommodation in the wards in which the patients are admitted the number of beds provided in the rooms is two or three times more than what the accommodation actually permits and some of the rooms are very dark?

If the answer be in the affirmative, will the Hon'ble Home Minister please try to redress these grievances as soon as possible and at the same time state as to how many times he has inspected this hospital within these six months?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : The Government is aware of the inadequate accommodation provided in the Sadar Hospital Srinagar and the question is engaging their attention. I have visited the hospital during the last six months but have kept no record of my visits.

LALA SHIV NATH NANDA : How often have you inspected the hospital during this period?

THE HON'BLE MR. WAJAHAT HUSSAIN : I don't remember.

194. MOULVI MOHAMMAD ABDULLA : (*a*) Do Government intend to fix a permanent centre in each tehsil in order to work the Panchayat system and the rural re-construction scheme?

(*b*) If the answer to (*a*) be in the affirmative, when will Government set up this organization and what sum do they intend to spend on this organization?

THE HON BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) For Panchayats no permanent centres can be fixed. Establishment of Panchayats will depend on the readiness of the people to work for and contribute funds for Panchayats.

For rural re-construction it is proposed to fix two centres, one in Kashmir and one in Jammu Province.

(*b*) The proposal of creating the post of a Superintendent with necessary establishment to run the two proposed centres is under

consideration. The cost involved can be intimated when the proposal matures.

195. LALA RAM LAL : (*a*) Will Government please state as to whether the Poonch authorities, like the Jammu and Kashmir Government, are prepared to exempt the personal luggage from customs duty?

(*b*) If the answer to part (*a*) be in the negative, the reason therefor may be stated?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) The matter is under consideration and it is hoped that it will be decided shortly.

(*b*) The question does not arise.

LALA RAM LAL : The reply on my table states that the matter is under consideration.

WAZIR FEROZ CHAND : The correct reply is the one just given to you.

196. LALA SHIV NATH NANDA : Will the Hon'ble Home Minister please state whether he inspected the Technical School Srinagar within these five months? If not, what are the reasons for remaining inactive? Moreover it may also please be stated as to what is his opinion regarding the management of this school?

THE HON'ELE MR. WAJAHAT HUSSAIN : No. The Technical school will form part of the new college of Science and Technology.

197. MOULVI MOHAMMAD ABDULLA : (*a*) Is it a fact that the population of Srinagar excluding the visitors from outside is about two lakhs?

(*b*) If the answer to (*a*) be in the affirmative, is it a fact that in Sir Glancy's scheme the daily consumption of Shali per head is one seer?

(*c*) If the answer to (*b*) be in the affirmative, is the daily consumption three thousand kharwars which yields a profit of Rs. 6,000 per day and of Rs. 20,00,000 per annum?

THF HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) The total population of the Srinagar Municipality is 1,73,573 according to 1931 Census lists.

(*b*) No.

(*c*) The question does not arise.

198. LALA RAM LAL : (*a*) Is it a fact that when Lala Sita Ram was posted at Tehsil Sadhnoti as a Tehsildar he received a threatning letter from the accused persons when he was trying a case "Tota Ram of village Mang and others *versus* Rukmani" (a new convert to Islam) and he sent that letter to the higher authorities?

(*b*) If the answer to (*a*) be in the affirmative, it may please be stated as to what action was taken regarding that letter. If no

action was taken, the reasons for it may please be stated?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) No.

(*b*) The question does not arise.

199. PANDIT AMAR NATH KAK (Srinagar City North : Hindu) : Will Hon'ble the Home Minister be pleased to state whether Mian Ghulam Ahmed aged about 50 and Mian Ghulam Ahmed Qureshi aged over 30 (both not belonging to the State) were appointed as overseers in P. W. D. and the claims of persons already in service or out of service and available in the State with better qualifications and younger in age were ignored?

THE HON'BLE MR. WAJAHAT HUSSAIN : Mian Ghulam Mohammed not Ahmed, is 45, not 50 years old. He is a State-subject. Similarly Mian Ahmed Hussain Qureshi, not Ghulam Ahmed, is 28, not 30 years old. He is also a State-subject. They were appointed overseers. No one's claim was ignored in appointing them.

PANDIT AMAR NATH KAK : May I know what class of State-subjects they are?

THE HON'BLE MR. WAJAHAT HUSSAIN : So far as I know of the 1st class.

PANDIT AMAR NATH KAK : Have their certificates not been cancelled by the Commission?

THE HON'BLE MR. WAJAHAT HUSSAIN : I have heard today that the certificate of one of them has been cancelled.

PANDIT AMAR NATH KAK : Is the last named of these two persons qualified by correspondence? And if so, is that qualification considered to be sufficient in British India?

THE HON'BLE MR. WAJAHAT HUSSAIN : That is a sufficient qualification.

200. CHOUDHARI ABDULLA KHAN (Jammu Wazarat :Muslim) : Will Government please state whether the amount sanctioned in the budget for the supply of water in the Kandi Illaqa has been spent for the purpose? If so, where and in what Illaqa?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : Out of the allotment of Rs. 30,000 (Rs. 20,000 granted by the Government and Rs. 10,000 from the Sanitation Cess Fund) following works have been completed :—

		Rs.
1. ь	Construction of a well at Danoh, Tahsil Jasmergarh ...	9,147
2. ь	Repairs to a tank and construction of a Ghat at village Garh Sohel, Tahsil Akhnoor ...	1,000
3.	Construction of a well in Chak Bhawan, Tahsil Akhnoor ...	7,400

		Rs.
4.	Construction of a well in village Akalgarh, Tahsil Mirpur ...	6,606
5.	Completing the remaining portion of Manawali well in village Deva, Bhimber ...	3,717
6.	Completing the remaining portion of well at village Watala, Bhimber ...	1,279
	TOTAL ...	29,149

Following amounts are being spent by the Revenue Department through the local Committees :—

1.	Removing of silt in tank Gurah Salathian, Tahsil Samba ...	343
2.	Repairs to Kapurgarh tank ...	47
3.	Repairs to Nandal tank in village Suchaini, Tahsil Samba ...	624
4.	Improvements and repairs to Chinas village tank, Tahsil Reasi ...	102
5.	Silt removing and repairs to tank in village Deeli, Tahsil Jammu ...	414
6.	Repairs to Mandia Wali Talai in Mohra Baoli, village Khara Maidan, Tahsil Samba ...	188
7.	Repairs to Malangir Wali Chhapri village Daran, Tahsil Reasi ...	250
	TOTAL ...	1,968

Over and above this a further sum of Rs. 14,000 odd was sanctioned from the Sanitation Cess Fund for the following works which are in progress :—

1.	Construction of a well at Mohra Baoli, Tahsil Samba ...	500
2.	Silt clearance of a tank in village Badhori, Tahsil Samba ...	1,000
3.	Aid to local people for construction of a well at Ambriala, Bhimber ...	1,000
4.	Aid to local people for construction of a well at Ahluwala, Bhimber ...	1,000
5.	Aid to local people for construction of a well at Chhamb, Bhimber ...	1,000
6.	Contribution for a well in village Kalri, Tahsil Bhimber ...	3,000
7.	Repairs to a well at Malot, Tahsil Bhimber	300
8.	Construction of tank at Mirpur ...	500

		Rs.
9.	Construction of a well at Sabrian in Jasmergarh.	5,000
10.	Repairs to a well at Thathur in Tahsil Kathua.	300
11.	Repairs to a well at Saroh in Jasmergarh ...	250
12.	Digging of a tank near Katra Reasi ...	300
13.	Digging of a tank near Saroh Kotla, Reasi ...	500
	TOTAL ...	14,650

LALA HANS RAJ : I would like to submit that at places where there was a pressing necessity.....

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Have you supplied a list of places where there is such necessity?

LALA HANS RAJ : Sir, we do not know how money is being spent?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The House passed the budget in the last session. Why don't you state the places where there is such necessity.

201. LALA SHIV NATH NANDA : Is it a fact that in the month of Sawan 1993 the zamindars of Arnia town, Tehsil Ranbirsinghpura caused a carcass of a bull to be thrown in a well belonging to Harijans and the Harijans submitted a complaint in this behalf before the Governor Jammu (*vide* the Ranbir 13th Sawan 1993)?

If the reply be in the affirmative, will the Hon'ble Revenue Minister please state as to what action has been taken regarding the complaint of the Harijans?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : No separate complaint other than the newspaper cutting in the matter was received. The Wazir Wazarat was asked by the Governor of Jammu to report after making necessary enquiry in the matter. His report is still awaited.

202. PANDIT AMAR NATH KAK : Will Hon'ble the Home Minister be pleased to state :—

(*a*) How much period is required to complete the training as Civil Engineer at Ludhiana and Lucknow?

(*b*) If the State considers such Civil Engineers as quite competent what are the reasons for sending stipendiaries from the State to England or America for being trained as Civil Engineers?

(*c*) Whether any competitive tests are held by these institutions at Ludhiana or Lucknow for granting admission to students?

(*d*) Whether any competitive test is held by the Rasool Institute at the time of admission?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) There are no classes of Civil Engineers at Ludhiana and Lucknow.

(*b*) and (*c*) The questions do not arise.
(*d*) Yes.

203. MOULVI MOHAMMAD ABDULLA : (*a*) Is it a fact :—
(*i*) That when the Shali Department was set up there were at the time no facilities for the importation of grains by lorries from the Punjab into Kashmir ;
(*ii*) That as at present the rural population enjoyed no facilities for borrowing money from the Co-operative Banks for the payment of land-revenue ; and
(*iii*) That the towns-people under the conditions prevailing at the time purchased the grains at high rates?
(*b*) If the answer to (*a*) be in the affirmative , is it a fact :—
(*i*) That the means of transport are easy and the Punjab flour sells cheap at Srinagar ;
(*ii*) That the zamindars can borrow money from the banks for payment of land-revenue ;
(*iii*) That despite the heavy influx of visitors there exists a stock of Shali ; and
(*iv*) That there is a great disparity in the rates prevailing in the town and those obtaining in the rural areas?
(*c*) If the answer to (*b*) be wholly or partly in the affirmative is it a fact that the present arrangement puts to loss both the villagers and the towns-people that is the rates prevalent in the towns are dear and those obtaining in the villages are cheap?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : This question is about a yard long.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) (*i*) No. Lorry transport service between Rawalpindi and Srinagar did exist when the Kashmir Valley Food Control Department was set up.

(*ii*) No. Co-operative Banking facilities existed at the time the Kashmir Valley Food Control Department was established.

(*iii*) The rates at which grains sold in Srinagar were high at the time the Kashmir Valley Food Control Department came into existence.

(*b*) (*i*) Punjab wheat-flour is selling cheaper now in Srinagar because of the heavy fall in rates for all foodgrains in the Punjab and throughout India.

(*ii*) Yes. The zamindars can borrow money from the Banks now just as they could borrow when the Kashmir Valley Food Control Department was created.

(*iii*) Yes.

(*iv*) Yes.

(*c*) Rates in the Mufassil have fallen except in the case of purchase made by the Kashmir Valley Food Control. The fall in rates other than those paid by the Kashmir Valley Food Control,

is the outcome of the general economic depression prevailing everywhere. The existing restrictions on private imports of Shali and rice into Srinagar are necessary to enable the Kashmir Valley Food Control Department to dispose of its stock so that it can continue to pay the producer a fair rate for grain purchased which rate is higher than he can otherwise obtain.

MOULVI MOHAMMAD ABDULLA : Why does it not sell in the suburbs?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : It is because of the economic depression.

MOULVI MOHAMMAD ABDULLA : This shows that the Government is not so mindful of its subjects as of itself.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : How can you say that? Corn is supplied at a low cost.

MOULVI MOHAMMAD ABDULLA : My question is what is to become of the paddy that is left with the zamindars in the villages?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Even when reduced the price will be higher in Srinagar. This is argument. You want to settle every matter through discussion on questions. The dispute has continued for many years. At first it was stated that the Shali Department is needed badly but now it is urged that it is not needed at all.

MOULVI MOHAMMAD ABDULLA : Questions are put with a view to set right the defects. If no questions are asked how can defects be removed and laws amended?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The President is of opinion that this matter cannot be decided through questions and no reply can be given at the spur of the moment.

204. LALA RAM LAL : (*a*) Will Government please state as to when the pacca bridge at Lachhman Pattan was washed away by the river and how much money has been spent from time of its being washed away up to the present time on the construction of temporary bridges? Moreover it may please be stated as to whether pack animals and human beings with loads on their persons can pass over the temporary bridge or not?

(*b*) If the answer to the last part of (*a*) be in the negative, it may please be stated whether the rise in the price of foodstuffs in Tehsil Sudhnuti is due to this fact because the inhabitans of Tehsil Sudhnuti depend on British India for the supply of grain? What action has been taken by the Poonch Government in this behalf?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) The suspension bridge at Lachhman pattan was washed away in the heavy floods of 1985. A sum of Rs. 16,680 has been spent for the construction of temporary bridge. Loaded animals and pedestrians with head-loads have almost been passing over the bridge.

(*b*) In view of (*a*) above this question does not arise.

LALA RAM LAL : My question is whether pedestrians and loaded animals can pass over it even at the present time. I am not asking about the past.

WAZIR FEROZ CHAND : Yes, they can pass over it even at present.

SUBEDAR KHAN MOHAMMAD KHAN (Bagh Sudhnuti Poonch : Muslim) : This bridge is much needed. Previously we had a bridge there. Only the site has been changed now. Funds have been provided in the budget. Material has been purchased but it is wasting away. If sanction is not given we shall have to leave the place as has been done by people in Malirkotla.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The Hon'bie Prime Minister has heard your speech. I too have taken it down.

SARDAR BUDH SINGH : The grievances should be noted down. They should be asked to submit an application and action should be taken on it.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You have just sent your application to me and it has been forwarded to the Hon'ble Prime Minister. His application will also be forwarded.

205. CHOUDHARI ABDULLA KHAN : In view of the fact that several representations have been made to the Government against bribery, will Government please state whether it has adopted any preventive measures in the matter? If so, what good has resulted therefrom and from what department the practice of bribery has been removed to any extent? If the Government has not paid any attention in the matter what are the reasons therefor?

CAPTAIN KANWAR HIRA SINGH (On behalf of the Hon'ble Prime Minister) : (*a*) Yes.

(*b*) The measures adopted by Government from time to time have had a salutary effect on all concerned. Every person found guilty of the offence is being severely dealt with to serve a deterrent for others.

(*c*) The Government has set up a commission of enquiry to suggest ways and means for its eradication and is doing all it can to combat the evil.

SARDAR BUDH SINGH : Are all complaints received by the Government during the course of the enquiry sent to the commission?

CAPTAIN KANWAR HIRA SINGH : Yes, certainly.

206. MOULVI MOHAMMAD 'ABDULLA : (*a*) Is it a fact that the zamindars are responsible for conveying *Mujawaza* Shali to ghats and at the same time are bound to deliver unadultrated and winnowed Shali although the zamindars' own produce be inferior in quality?

(*b*) If the answer to (*a*) be in the affirmative, is it a fact that when the department does not accept delivery of Shali at the ghat, the zamindar has either to re-convey the Shali or to suffer loss by giving a bribe?

(*c*) If the answer to (*b*) be wholly or partly in the affimative, will the Shali Department make arrangements for realizing *Mujawaza* Shali as may be the zamindar's produce by touring through the villages?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) Zamindars have to deliver Shali at fixed ghats. They are required to deliver clean and unadultrated Shali at these ghats. If a zamindar's crop is inferior he can apply for remission.

(*b*) The Shali that is not acceptable is rejected from the ghat and its further disposal is a matter entirely for the concerned zamindar or zamindars to decide. There is no necessity for him to pay anything to anybody.

(*c*) It is not practicable to collect Shali from the zamindars of 1,500 villages (with whom the Kashmir Valley Food Control Department is dealing) in their respective villages.

MOULVI MOHAMMAD ABDULLA : It is not necessary Sir, but they have no orher alternative. The zamindar shall otherwise have to carry the Shali home on his head or bribe the clerk so that he may accept it.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : If adultrated Shali can be delivered by paying one rupee as bribe, well there is no harm and every one will do it.

207. LALA RAM LAL : (*a*) Will Government please state as to whether there is a deficit in income from customs duty every year on account of the pacca bridge at Lachhman Pattan being washed away?

(*b*) If the answer to this question be in the affirmative, the deficit for each year may kindly be stated and it may also be stated as to who is responsible for this deficit?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) There has been a fall of income in the Customs Revenue which is mainly due to general trade depression and also to a certain extent to the absence of a pacca bridge.

(*b*) The following table shows the income of the Customs Revenue at Lachhman Pattan Customs post :—

Year.	Income.	Year.	Income.
1984-85 ...	1,49,920	1988-89	1,33,560
1985-86 ...	1,33,593	1989-90	1,08,806
1986-87 ...	1,51,678	1990-91	1,00,862
1987-88 ...	1,33,931	1991-92	62,272

The last portion of the question is disposed of by reply to part (*a*) above.

LALA RAM LAL : As it has been admitted that the income has fallen from one lakh and a half to sixty-two thousand rupees it is evident that the Jagir is incurring a loss which can be avoided by the construcion of a bridge?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : What I understand from the reply that has been given to you is that the Poonch Government has not granted permission as yet.

LALA RAM LAL : The Subedar has said that it is easy to obtain the permission of the Punjab Government.

SUBEDAR KHAN MOHAMMAD KHAN : There is another question Sir. The contract for the construction of this bridge was given to a Company which had obtained permission from the Punjab. Subsequently the Company failed and the bridge could not be constructed. It is not difficult to get permission even now. Permission can be obtained by writing a letter.

208. LALA SHIV NATH NANDA : (*a*) Will the Hon'ble Home Minister please state as to what is the five years' expenditure of the Technical schools?

(*b*) How many students are receiving education in each school?

(*c*) What is the number of students and the art they specialised during the last five years?

(*d*) Is the present management, in your honour's opinion, satisfactory, and has this big expenditure incurred by the Government been of any advantage to the public?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : (*a*) Rs. 1,44,626.

(*b*) The information is given below :—

Institute.	*No. of students attending the Institute.*				
	Boys.	Girls.	Casual.	Manual Training.	Total.
Srinagar ...	70	36	3	30	139
Jammu ...	56	.....	.....	.....	56
Mirpur ...	33	.....	.....	.....	33
Samba ...	30	.....	.....	.....	30
Kishtwar ...	54	.....	.....	.....	54
Bhadarwah ...	30	.....	.....	.....	30
Anantnag ...	31	.....	.....	.....	31
Baramulla ...	39	.....	.....	.....	75
	343	36	39	30	448

(*c*) The requisite information is given below :—

		No. Specialized.
Painting and Decorating	...	29
Smithy class	...	45
Painting and Drawing	...	32
Dyers	...	18
Builders	...	14
Carpenters	...	131
Wood-turning	...	2
Pottery	...	7
Toy-making	...	.....
Weaving and Dyeing	..	87
Embroidery	...	7
Basket making class	...	25
Calico-printing	...	11
Utensil-making	...	31
Total	...	439

(*d*) Yes.

LALA SHIV NATH NANDA : It has been stated that the expenditure works up to four lakhs and a half and that four hundred students are receiving instruction. This shows that the expenditure per student is one lakh and ten thousand rupees.

THE HON'BLE MR. WAJAHAT HUSSAIN : Sir, his calculation is wrong. (Laughter)

209. LALA RAM LAL : (*a*) Is it a fact that in Illaqa Poonch there is only one Sanskrit Pathshala at Poonch proper and that the boarding and educational expenses are borne by the Pathshala?

(*b*) If the reply to (*a*) be in the affirmative, it may please be stated whether a grant is provided by the Poonch administration which is quite inadequate and for this reason the expenses of the Pathshala cannot be borne?

(*c*) If the reply to (*b*) be in the affirmative, is the Poonch administration prepared to provide an additional grant of Rs. 50? If not, what are the reasons for it?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) and (*b*) Yes. There is a Sanskrit Pathshala at Poonch proper. A grant-in-aid of Rs. 30 per month is being paid to the Pathshala.

(*c*) The question of increasing the grant will be taken up when finances permit

210. LALA SHIV NATH NANDA : In reply to my question S. No. 215 asked on 19th March 1936 that drainage scheme should be completed, the Hon'ble Finance Minister gave an assurance that

it would be begun when the funds are available?

If the reply be in the affirmative, will the Hon'ble Finance Minister please state whether the question of availability of funds is under the consideration of the Government?

If the reply be in the negative, what are the reasons for being inactive in this behalf?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI (Finance Minister) : Question of funds for drainage is still under consideration as it will involve a very heavy outlay.

211. SARDAR FATEH MOHAMMAD KHAN (Haveli Mendhar Poonch :Muslim) : (*a*) Will the Poonch authorities please state as to what steps have been taken by them in connection with the rural reconstruction which is a very useful and important thing?

(*b*) If the answer to (*a*) be in the negative, are the Poonch authorities prepared to start this useful and important work regularly at an early date?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Co-operative societies on large scale have been started. Arbitration societies too were recently set up. Starting of some Panchayats in certain selected villages through the help of Revenue and Co-operative Departments is under consideration.

(*b*) In view of (*a*) above the question does not arise.

SARDAR FATEH MOHAMMAD KHAN : When is it intended to do so? Will it be started next year?

WAZIR FEROZ CHAND : Yes.

212. MOULVI MOHAMMAD ABDULLA : (*a*) Is it a fact that generally the expansion of education is a pre-requisite to the introduction of every kind of reforms?

(*b*) If the answer to (*a*) be in the affirmative, do Government intend to introduce compulsory primary education throughout the State ?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) Yes.

(*b*) It is not intended at present to introduce compulsory primary education throughout the State.

MOULVI MOHAMMAD ABDULLA : Will reforms be deferred till then, because it has been stated that reforms cannot be introduced until education is common.

THE HON'BLE MR. WAJAHAT HUSSAIN : Reforms will not be postponed but will continue.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Reforms will come slowly. We are not angels that we can do it at once. It is hoped that angels will come in future.

213. MIAN QURBAN AHMED (Kathua :Muslim) : (*a*) Will the Hon'ble Revenue Minister please state as to what was the rate of the food-stuff at the time of assessing the land-revenue and what is it at present?

(*b*) If there is a great difference, are Government in these times of depression prepared to make some reductions in the land-revenue, if not, why not?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) The commutation rate for wheat—staple food for the Jammu Province to which the member Praja Sabha belongs—adopted at the last Settlement for assessment purposes varies from 21 annas to 47 annas per maund. The rates prevailing this year vary from 32 annas to 50 annas per maund.

The data collected and supplied in respect of wheat the chief product of the Jammu Province serves as an index of the remaining agricultural products of that Province. Wheat being the major crop regulates the prices of other crops.

(*b*) From the reply under (a) above, it would be evident that the present rates are higher than the commutation rates adopted for assessment purposes and as such the last portion of the question does not arise.

214. PANDIT AMAR NATH KAK : Will the Hon'ble Home Minister be pleased to state :—

(*a*) How many students were trained in the Rasul Institute since 1925 and what posts and pay they are holding now in P. W. D.?

(*b*) How many of them obtained Honours and Credit Certificates and what pays they are getting at present.

THE HON'BLE MR. WAJAHAT HUSSAIN : The following students were trained in the Rasul Institute since 1925 :—

(*a*) 1. P. Paira Lal Ranka, 1928.
2. P. Gobind Ji Bhan, 1929.
3. P. Prem Nath Dass, 1931.
4. P. Dina Nath Ganjoo, 1931.
5. P. Kashi Nath, 1932.
6. P. Salig Ram Koul, 1933.
7. P. Radha Kishan Koul, 1933.
8. P. Ram Krishan Tiku, 1933.
9. L. Girdhari Lal Mengi, 1933.
10. L. Kanya Lal, 1933.
11. P. Kashi Nath Koul, 1935.

Out of them the following have been appointed as Subovers-seers :—

			Rs.
1.	P. Gobind Ji Bhan	1st grade Suboverseer	... 75
2.	P. Prem Nath Das	,, ,,	... 69
3.	P. Salig Ram Koul	2nd grade Suboverseer	... 50
4.	P. Radha Kishen Koul	2nd grade Suboverseer	... 50
5.	P. Ram Krishen	2nd grade Suboverseer	... 50
6.	L, Girdhari Lal	3rd grade Suboverseer	... 36

7. P Dina Nath Ganjoo, 1st grade Suboverseer on Rs. 69 per mensem in the Military Sub-division.

B. Paira Lal Ranka, Pandit Kashi Nath, Lala Kanya Lal and Pandit Kashi Nath Koul are unemployed.

(*b*) The following students obtained Honours and Credit Certificates as noted against each :—

(1) Prem Nath Das, Credit Certificate.
(2) Salig Ram Kout, " "
(3) Radha Kishen Koul, Honours Certificate.
(4) Ram Krishen Tiku, Credit Certificate.
(5) Gobind Ji Bhan, Honours Certificate.

PANDIT AMAR NATH KAK : One question please. May I know why the man with correspondence course was given preference over the men qualifying themselves with honours and credit.

THE HON'BLE MR. WAJAHAT HUSSAIN : Unfortunately the communal question exists in the State.

215. SARDAR FATEH MOHAMMED KHAN : (*a*) Will Government please state why Income Tax Regulation has not been enforced in Illaqa Poonch so far when it has been introduced in Jammu and Kashmir State for the last two years?

(*b*) Will the Poonch authorities introduce the Income Tax Regulation in Poonch at once and thus try to remove the financial stringency? If not, the reasons may please be stated?

(Question No. 215 above was withdrawn by the member with the permission of the House).

216. PANDIT AMAR NATH KAK : Will the Hon'ble Home Minister be pleased to state :—

(*a*) Whether the Pay Officer in the Office of the Superintendent of Police Kashmir who is discharging the duties of Accountant is holding a permanent post of Accountant in Accountant General's office and was attached to the Forest Department?

(*b*) Who was the person appointed on the post in the Forest Department which fell vacant on his transfer to the Police Department; what were the qualifications and the duration of service of the incumbent thus appointed and what was his grade and pay before this appointment?

(*c*) Whether a graduate with a distinguished college career having a further qualification of Banking and Accountancy together with practical training and experience in Accountant General's office in Accountancy is working as an Assistant Pay Officer in the Office of the Senior Superintendent of Police Kashmir?

(*d*) Whether this Assistant Pay Officer is better qualified than the Accountant who was appointed as Ac-

countant on the transfer of the present Pay Officer from the Forest Department to the Police Department and for whose sake a vacancy was created by such transfer?

(*e*) Whether this graduate working as Assistant Pay Officer was transferred from Accountant General's office to Police Department and whether an assurance was given to him for being appointed as Pay Officer as soon as the post would fall vacant?

(*f*) What were the reasons of ignoring the claims of this graduate at the time of transferring the present Pay Officer from the Forest Department to the Police Department and appointing a new and less qualified hand as Accountant in the Forest Department?

(*g*) Whether the Government would consider the case of this graduate and grant him some post in the Executive or senior clerk's cadre if it be not possible to appoint him as Accountant or Pay Officer?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : (*a*) Yes, he is borne on the cadre of the Accountants under the Accountant General. He was prior to his transfer to the Police Department an Accountant in the Forest Department.

(*b*) Pandit Dina Nath Ganju and Mr. Mir Mohammad Niaz were appointed on the two posts in the Forest Department vacated by the transfer of two Accountants from the Accountant General's office to the Police Department as Pay Officers. Both of them are qualified having passed the examination in Senior Book-keeping and Accountancy of the London Chamber of Commerce. The former was a clerk in the Accounts Department with 10 years service and was in receipt of a pay of Rs. 33 per mensem in the scale of Rs. 30-3-75. The latter was appointed by the Accountant General to maintain the communal proportion.

(*c*) Yes.

(*d*) This question does not arise as appointments on the Accountants cadre are under the Administrative Control of the Accountant General and selection is made from amongst the registered qualified candidates under the Accountant General.

(*e*) He was a candidate in the Accountant General's office taken in officiating chance. He held no substantive post in the Accounts Department. His first permanent appointment was in the Police Department. No assurance was given to him either by the Police or by the Accounts Department for appointment as Pay Officer.

(*f*) He has no claim for appointment to the cadre of Accountants as he is borne on an establishment outside the Audit Office. Even if he had been in the Audit Office the claims of his seniors could not have been ignored.

(g) No gurantee can be given. His promotion will be governed by the rules of the Department.

217. MIAN QURBAN AHMED : (*a*) Will the Hon'ble Revenue Minister please state that when Nazrana for granting proprietary rights was demanded, how many villages of Tehsil Jasnirgarh had paid it before its remission? Was it refunded to them? If not, why not?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : 1*st part*.---Three villages *viz*. Dholka, Mava and Sial.

2nd part.—Refund bill has been prepared and the amount of Rs. 99-6-0 collected on account of Nazrana will be refunded after the bill is pre-audited by the Audit Department.

218. PANDIT AMAR NATH KAK : Will the Hon'ble Revenue Minister be pleased to state :—

(*a*) Whether untrained persons were recently appointed directly as Forest Rangers and the claims of Senior Foresters already in service and experienced in the forest work were ignored? If so, who were the persons thus appointed?

(*b*) Whether the Government would take it into consideration the claims of such senior Foresters and promote them to the posts of the Forest Rangers on occurrence of vacancies?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Four untrained Muslims were recently appointed directly as Forest Rangers, on probation, but the claims of senior Foresters, already in service were not ignored. Since the first Baisakh, 1990, there had been 14 vacancies. Under the Glancy Commission recommendations, not more than half of the vacancies should be filled by direct appointment. Actually half of these appointments were filled by direct appointments and half by promotions from the Foresters grade. The names of the Muslims appointed as Forest Rangers on probation were :—

1. Mohammed Haidar Khan,
2. Mohammed Hanif,
3. Atta Mohammed Khan, and
4. Syed Mir Badhsah.

(*b*) The claims of senior Foresters are already carefully considered and promotions of such suitable Foresters will continue to be made.

219. PANDIT AMAR NATH KAK : Will the Hon'ble Home Minister be pleased to state :—

(*a*) The number of Hindu and Muslim teachers (including Hindi and Arabic teachers) appointed in the grade of 20-1½-35 and below during the last three years?

(*b*) The number of Hindu and Muslim teachers (including

Hindi and Arabic teachers) at present in the grade of 20-1½-35 and below in Kashmir Province?

(*c*) The number of Hindu and Muslim Gazetted officers in schools appointed during the last three years and the number of direct appointments made and promotions given irrespective of seniority which have fallen to the share of each community?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : (*a*)

Muslims	...	158
Hindus	...	59
Total :	...	217

(*b*)

Muslims	...	446
Hindus	...	311
Total	...	757

(*c*) Three Gazetted officers were appointed in the school line. Two Muslims were transferred from the College and one Hindu was promoted by seniority. No direct appointment was made.

220. SARDAR FATEH MOHAMMAD KHAN : (*a*) Is it a fact that all Customs Rules and Regulations of Jammu and Kashmir Government are enforced in Poonch as well?

(*b*) If the answer to (*a*) be in the affirmative, it may please be stated as to why the Poonch public is deprived of the convenience which the Jammu and Kashmir public enjoys by means of the notification No. 8 regarding the personal luggage?

(*c*) Will the Poonch authorities grant these concessions on the authority of the Jammu and Kashmir Government which are apparently proper and thus show kindness to the subjects. If not, why not?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Yes, the Customs Regulation is in force here.

(*b*) The member Praja Sabha is referred to reply to Q. D. No. 202.

(*c*) In view of (*b*) above, this question does not arise.

221. MIAN QURBAN AHMED : (*a*) Will the Hon'ble Revenue Minister please state the number of Patwaris and Girdawar Qanungos and how many of these are Muslims?

(*b*) How many Patwaris and Girdawar Qanungos were suspended within the last six months? How many of them were Muslims and how many Hindus?

(*c*) How many of these Patwaris and Girdawar Qanungos were found to be not guilty and reinstated and how many more are still suspended?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM ':

		Total No.	Muslims.
(*a*) Girdawars	...	105	33
Patwaris	...	1,246	291

		Total No.	Muslims.	Hindus.
(*b*) Girdawars	...	4	3	1
Patwaris	...	29	5	24

(*c*) Three Girdawars and 8 Patwaris were reinstated. One Girdawar and twenty-one Patwaris are still under suspension.

222. MIAN QURBAN AHMED : (*a*) Will the Hon'ble Prime Minister please state that under which law the State-subject committee has been appointed without the sanction of the Praja Sabha?

(*b*) Were they empowered to get costs and talbana for summoning the witnesses?

(*c*) If the answer to (*b*) be in the affirmative why they were not doing like that?

(*d*) If the answer to (*b*) be in negative, under which law they were appointed?

CAPTAIN KANWAR HIRA SINGH (On behalf of the Hon'ble Prime Minister) : (*a*) Under the constitution of the State a new Court is appointed and created by the Council and not by the Praja Sabha. Whenever there is necessity of creating an additional court orders are passed by the Council. This is inherent in all executive authority. The Praja Sabha is a legislative body and not one to carry out executive duties in the State.

(*b*) Every court has authority of paying diet money if he finds it necessary.

(*c*) It is at the discretion of the court to pay to witness or not and the Government will not interfere with such discretion.

(*d*) Does not arise.

MIAN AHMED YAR : Has the Praja Sabha not been associated in the administration of the State under the constitution. I mean Regulation No. 1 of 1991?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : How does this question arise? The Council has that right.

MIAN AHMED YAR : My question is "Has the Praja Sabha no hand in administrative matters"?

THE HON'BLE COLONEL E. J. D. COLVIN (Prime Minister) : The translation is not correct. In English it is (read out the answer in English).

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Carry out executive duties in the State.

223. SARDAR FATEH MOHAMMED KHAN : (*a*) Will Government please state as to what has been the annual income and ex-

penditure of the Sericulture Department since its establishment uptill now?

(*b*) If it appears from the reply that expenditure is greater than income what objections have the Poonch authorities if this Department supervised by an Inspector Sericulture be kept under the Forest Department?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The annual income and expenditure of the Sericulture Department since its inauguration is as under:—

Year.		Receipts.	Expenditure.
		Rs.	Rs.
1985-86	...	1,101	2,290
1986-87	...	180	.....
1987-88	...	53	8,000
1988-89	...	143	7,885
1989-90	...	11,889	10,750
1990-91	...	8	7,669
1991-92	...	4,265	4,962

By the appointment of the present incumbent who has specially been got trained for the Sericulture work, the Department is expected to prove self-supporting and as such the last part of the question does not arise. Besides the silk market is likely to improve which will improve the outlook of this Department.

SARDAR FATEH MOHAMMED KHAN : The reply placed on my table is quite different.

WAZIR FEROZ CHAND : A copy of the correct reply will be supplied to you.

SARDAR FATEH MOHAMMED KHAN : Has the Sericulture Officer been put in charge of the Rakhs also?

WAZIR FEROZ CHAND : He has been continued as such.

SARDAR FATEH MOHAMMED KHAN : When an officer is put in charge of two departments, does he draw salary from both?

WAZIR FEROZ CHAND : That is a different question.

224. PANDIT AMAR NATH KAK : Will the Hon'ble Prime Minister be pleased to state :—

(*a*) Whether any European scholarships were given in 1991-92 and 1992-93? If so, how many and to whom?

(*b*) Whether such scholarships were advertised and whether any applications were received? If so, how many and who were the applicants and what were their qualifications?

(*c*) What were the reasons for not giving any scholarship to any Hindu.

CAPTAIN KANWAR HIRA SINGH (On behalf of the Hon'ble Prime Minister) : (*a*) No foreign scholarships were granted in 1991-92. The following is the list of scholars who were deputed for foreign training during 1992-93 :—

1. Rajkumar Shiv Dev Singh.
2. Kanwar Mohammed Yaqub Khan (Public Administration).
3. Dr. Ghulam Mohi-ud-Din.
4. Dr. Fazal Rahman (Medicine).
5. Mr. Sonam Narboo.
6. M. Ghulam Naqi.
7. Mr. A. R. Zubair (Civil Engineering).
8. Mr. Abdul Aziz Firdous.
9. Mr. Ghulam Mohammad Butt (Forestry).

(*b*) Yes. Except for Public Administration and Medicine scholarships were advertised. The selection of candidates for training in Public Administration was based on the qualifications and the family status of the candidates, while the selection for medical training was made from among the Medical officers already in service.

A list of applicants is enclosed.

(*c*) The scholarships were earmarked for Muslims, in order to train qualified Muslims for those Departments in which their representation is at present inadequate.

Statement of applications for foreign scholarships.

Serial No.	Name.	Qualifications.
	Forestry.	
1.	Mr. Abdul Aziz Firdous	... M.I Sc.
2.	Mr. Zohur-ud-Din Qazi	... M. A.
3.	Mr. Abdur Rahman Khan	... M. A. student.
4.	Mr. Abdul Aziz Salaria	... M. A. student.
5.	Mr. Maqbul Ahmad Khan	... M. A. student.
6.	Mr. Abdul Salam	... B Sc. student.
7.	Mr. Maqbul Ahmad Qarishi	... B. A.
8.	Mr. Ghulam Mohammad Butt	... B. Sc. (Agri.).
9.	Mr. Mohammad Amin Ghani	... B. A.
10.	Mr. Mohammad Yusuf	... B. A.
11.	Mr. Ali Mohammad	... M. A. student.
12.	Mr. Azim Din Mattu	... B. A (Hons.), LL. B.
13.	Mr. Noor Din Baqal	... M. A. student.

Serial No:	Name.	Qualifications.
	Civil Engineering.	
1.	Mr. A. R. Zubair	... M. A.
2.	Mr. Mohammad Akbar	... B. A.
3.	Mr. Abdul Aziz Firdous	... M. Sc.
4.	Mr. Abdul Aziz	... Matric, Rasool trained Overseer.
5.	Mr. Manzur Hussain	... B. Sc.
6.	Mr. Nur-ul-Hussain	... Rasool trained Overseer.
7.	Mr. Habibulla Mir	... B. A.
8.	Mr Abdul Aziz Fazili	... B. A., LL. B.
9.	Mir Habibullah Kamili	... M. A., plucked.
10.	Mr. Ghulam Naqi	... B. A.
11.	Mr. Saddar Din	... B. A.
12.	Mr. Noor Din	... M. A. student.
13.	Mr. Hidayat Ullah	... B. A. (B. T. Hons.).

225. MIAN AHMED YAR : Will the Hon'ble Revenue Minister please state :—

(*a*) How many posts are held by Muslims in the offices of the Divisional Forest Officers of Muzaffarabad, Keran and Baramulla, what pay they are drawing, what is the total number of posts in the said offices, and what is the pay of each of these posts?

(*b*) How many clerks the Rangers of District Muzaffarabad have and how many of them are Muslims and how many non-Muslims?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) The total number of posts in the Divisional Forest Offices at Muzaffarabad, Keran and Baramulla is 43, out of which 9 are Muslims (1 at Rs. 30, 2 at 20-1-30 and six peons etc.), 33 Hindus (3 at Rs. 85, 2 at Rs. 82, 1 at Rs. 60, 12 at 25-2-55, 11 at 20-1-30, *i. e.* 29 clerks, 4 peons) and one Sikh at Rs. 68.

(*b*) There are 13 Range clerks out of whom 2 are Muslims.

226. SARDAR FATEH MOHAMMED KHAN : Is it a fact that there is no Government school within a radius of 4 or 5 miles from the following villages in Mendhar Tehsil :—

1. Degwar Maldialan.
2. Kaldana.

3. Mangnar.
4. Sahi Kakuta.
5. Lawan.
6. Nanban, Tehsil Haweli.
7. Taranjeot
8. Dhar Galhun.
9. Jandrot.
10. Datot.

(*b*) Is this also a fact that people have made many representations for starting a Government school there?

(*c*) If the answer to the above parts be in the affirmative, it may please be stated as to why schools have not been opened in these places where they are badly needed?

(*d*) Will the Poonch authorities open schools at these important places at an early date and thus demonstrate their interest in the educational development?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) There is already a school at Degwar Maldialan in the Haveli Tehsil. Opening of schools at Kalani, Mangnar, Sehr Kakuta, Dhar Galhun and Nanban is under consideration. There is one school at Barachhar a distance of 2 miles from Loran, inhabitants whereof have so far failed to construct a school building inspite of repeated directions from the Education Department. A school exists at Dharutti a distance of about 3 miles from Tranjot. Jandrot and Datot are too near to the schools at Khandhar and Majhan to justify the opening of schools in these villages.

(*b*), (*c*) and (*d*) In view of the above, the questions do not arise.

SARDAR FATEH MOHAMMED KHAN : I have mentioned Narsangiot also in my question but nothing has been stated about that in the reply.

WAZIR FEROZ CHAND (Wazir Poonch) : Reply to that will be given later.

227. MIAN QURBAN AHMED : Will the Government state as to whether the money spent on commissions has been spent unlawfully? If they would have cancelled all the State-subject certificates, and required that every one should get fresh certificates, a good deal of money would have been saved? If it has not been done, why?

CAPTAIN KANWAR HIRA SINGH (On behalf of the Hon'ble Prime Minister) : The commissions to examine the State-subject certificates were lawfully appointed so any expense incurred thereon was legally incurred. The suggestion of the member is one method of proceeding but it appears to the Government that that would have been a violent method. When a person has got a certain certificate it is not for him to prove

the genuineness of the certificate unless that particular certificate is attacked. By the method adopted by the Government only those persons whose certificates were doubtful were called upon to justify them and every one who had secured a certificate was not put to the trouble and expense of justifying it.

MIAN QURBAN AHMED : The reply states that the commissions to examine State-subject certificates have been appointed lawfully. Has the Government taken any notice of cases where the orders of the commission have been disobeyed?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Has there been any disobedience? The question is not based on a fact.

MIAN QURBAN AHMED : I mean where the commission served notices which were not acknowledged?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You can take a concrete instance and then ask a question.

228. SARDAR FATEH MOHAMMED KHAN : (*a*) Is it a fact that in Tehsil Mendhar there is no nursery of fruit plants?

(*b*) Is this also a fact that as regards produce Tehsil Mendhar stands in the forefront of all Tehsils?

(*c*) If the answer to the above parts be in the affirmative, are the Poonch authorities prepared to make arrangements for starting a nursery in such a Illaqa as Mendhar?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Yes.

(*b*) Yes.

(*c*) By the opening of a nursery at Rawalkot which is meant for Tehsil Sadhnuti and Bagh the demand on the Poonch nursery will considerably decrease and it will be fully able to meet the demand of Mendhar and Haveli Tehsils. As such the question of starting another nursery at Mendhar seems unnecessary.

229. MIAN QURBAN AHMED : (*a*) Will the Hon'ble Home Minister please state whether the person in whose favour contracts for constructing Courts buildings at Muzaffarabad is a non-State-subject?

(*b*) That experienced, State-subject and big contractors submitted their tenders for that contract?

(*c*) That in the case of Habibullah Khan, contractor, the reduction in the rate of tender is 13 per cent., while the reduction in the rates of the person in whose favour the contract was granted, is 9 per cent.

(*d*) What is total estimated valuation of the contract and what is the difference caused by the low and high rates quoted in the tenders?

(*e*) Why the subordinate officers who made improper recommendations, should not be held liable to make up this deficit?

(*f*) What are the dimensions of the rooms which have been

constructed in the courts' buildings for the officers and do these dimensions fulfil the requirements?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) Yes.

(*b*) Only three contractors submitted tenders for the work.

(*c*) Yes

(*d*) The total valuation of the contract is Rs. 54,245. The difference is Rs. 2,100 approximately.

(*e*) The contract was awarded by me on the merits of the tenders and capacity of the contractors. The capacity of the contractor Habibullah is Rs. 15,000 only and he could not be expected to do work worth more than Rs. 50,000.

(*f*) Wazir Wazarat, Sub-Judge and Tehsildar's Court room 19′×24′ each, Revenue Assistant 18′×12′ and Naib-Tehsildars 19½′×24½′. The estimate and plans were approved by the Hon'ble Judicial and Revenue Ministers.

MIAN QURBAN AHMED : What is the height of the rooms occupied by the establishment?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : It is not a supplementary question. It is absolutely meaningless.

230. KHAWAJA ALI MOHAMMED (Fateh Kadal, Tankipura, Srinagar City : Muslim) : (*a*) Will the Hon'ble Revenue Minister in connection with the question Q. D. No. 110 (S. No. 265) asked on 23rd march 1936 please state what withholds the Government from enquiring into the embezzlement case against Mr. T. C. Hoon the late Conservator of Forests which was received by the Government through the statement of Mr. Atta Ullah Khan?

(*b*) Was Mr T. C. Hoon as stated by Mr. Atta Ullah paying his private servant from the Government treasury?

(*c*) Can the retired Government servants be immune from legal action from embezzlement during the tenure of their office?

(*d*) If the answer to part (*c*) be in the negative, will enquiry be held regarding the embezzlement case of Mr. T. C. Hoon? If not, why not?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) and (*b*) While passing orders regarding the premature retirement of Mr. T. C. Hoon the fact pointed out by Mr. Atta Ullah Khan in his statement was also taken into consideration.

(*c*) No.

(*d*) Government do not consider it advisable to persue the case further.

231. MIAN AHMED YAR : Will the Hon'ble Judicial Minister please state :—

(*a*) How many cases regarding the offences relating Kuth and infringement of Game Laws committed within the boundaries of District Muzaffarabad have been heard by

the Divisional Forest Officer of Baramulla, Muzaffarabad and Keran subsequent to their having been invested with the powers to hear such cases?

(*b*) How many witnesses appeared in these cases (how many of them including the Zaildars, Lambardars and Chowkidars) were Government servants and how many were other than those?

(*c*) How many cases were thus heard regarding Kuth and in how many of these cases less than two Chhataks Chob-i-Kist was alleged to have been found?

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM : Regarding (*a*) and (*b*) the statement placed on the table of the member asking the question will give the necessary information.

Statement showing the number of Forests, Game-Laws and Kuth cases tried in Baramulla and Muzaffarabad District Courts from 1989-90 *upto-date.*

Name of Court.	No. of cases under Forest Regulation.	No. of cases under Game-Laws Notification.	No. of Kuth cases.
Sub-Judge Muzaffarabad ...	210	9	29
D. F. O. Jhelum Valley ...	.....	79	.....
D. F. O. Muzaffarabad ...	.....	95	41
D. F. O. Keran ...	.....	7	140
Total ...	210	190	210

Regarding (*c*), out of a total number of 210 cases under the Kuth Regulation, less than 2 Chhataks of Kuth was detected in only 4 cases.

Statement showing the No. of witnesses that appeared in the Forest cases.

Lambardars.	Chowkidars	Government servants.	Others.
7	27	569	155

The above witnesses appeared in 210 cases instituted in the

last 3 years.

MIAN AHMED YAR : Sir, the figures may please be read out.

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM : They have been placed on your table.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : What does he want?

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM : He wants reply to question No. 233 and that will come afterwards.

232. KHAWAJA ALI MOHAMMAD : Will the Hon'ble Revenue Minister in connection with the question Q. D. 111 (S. No. 266) asked on 23rd March 1936 please state :—

(*a*) Why the Government employees found guilty in connection with Kamraj Forest defalcation are not considered liable to suspension at the very outset?

(*b*) Why Government treasury has been burdened by the retention without reason? Who is to account for this?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Reference is invited to the answer to Q. D. No. 111 of the spring session of Praja Sabha 1936.

KHAWAJA ALI MOHAMMED : My question is (read out the question again). The reply is that they were not suspended. My question is why this was not done.

MR. PRESIDENT (TheHon'ble Sir Barjor Dalal Kt.) : Proper action has been taken.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : This question has already been replied. It was not proper to suspend the culprits at the very outset so it was not done. As the matter has been settled now and proper action taken it is easy to arrive at a conclusion.

233. MIAN AHMED YAR : Will the Hon'ble Judicial Minister please state the number of cases for each year heard during the last three years by the Magistrates of District Muzaffarabad under the Forest Regulation and River Rules? How many Government employees, how many employees of Forest contractor and how many persons other than these appeared as witnesses in these cases?

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM : The statement below will give the required information :—

Statement showing the number of witnesses that appeared in the Forest cases.

Lambardars.	Chowkidars.	Government servants.	Others.
7	27	569	155

The above witnesses appeared in 210 cases instituted in the last three years.

234. MIAN AHMED YAR : Will Government please state whether any compensation is paid to zamindars for damage caused to their lands and crops in the course of carrying wood from the forests by the contractors? If not, why? Will such compensation be paid to them in future?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The lessees are bound under the terms of their agreement to pay due compensation to the zamindars for the damage done to the fields, Kuhls etc., while copy of the clause reproduced below :—

> "The purchasers agree to pay reasonable compensation which may become due for damage done by them, their agents or their servants to the fields, Kuhls or other property of zamindars or others by reason of their forest operation".

235. KHAWAJA ALI MOHAMMED : (*a*) Is it a fact that the few Judicial officers protested against the administration and good Government of the Judicial Department through a petition?

(*b*) If so, will Government please state what was the subject matter of the petition?

(*c*) Is this also a fact that this petition was made at the instance of some responsible officer of the Judicial Department and that the said officer betraying the signing officers did not sign it at the eleventh hour?

(*d*) Is it a fact that the petition was withdrawn by the said officers against their wishes on account of undue influence being exercised upon them?

(*e*) Would Government like to state whether such a petition has ever been received from any department in the State and whether that has been withdrawn in this manner?

(*f*) Will Government please state whether the complaints stated in the petition are justified to some extent? What action are Government going to take in order to redress the legitimate grievances?

(The question was withdrawn by the member with the permission of the House)

236. MIAN AHMED YAR : Will Government please issue instruction to the Divisional Forest Officers not to prohibit the zamindars from digging Kuhls for irrigating their lands within the forest lines where there is no apprehension of any loss to the forest trees or sapplings, in view of the fact that these Kuhls can serve useful purpose at the time of an outbreak of fire in the forest?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The Praja Sabha Sari is referred to pages 126 and 127 of the Jammu and Kashmir Government Gazette dated 19th Jeth 1990 (Volume 45,

No. 32) on which rules regarding the construction of Kuhls by zamindars through the demarcated forest areas have already been published.

Copy of the notification has been placed on the table of the Praja Sabha Sad.

REVENUE SECRETARIAT.

(DEVELOPMENT SECTION)

Notification No. 22 of 18th May 1933.

His Highness the Maharaja Bahadur has been pleased to sanction (*vide* the Hon'ble Prime Minister's endorsement No. G. B. 724, dated 1st May 1933) the introduction of the following rules regarding permission to zamindars to bring Kuhls through demarcated forest areas :—

1. Applications for construction of Kuhls through demarcated forests should be forwarded to the Divisional Forest Officer either through Revenue authorities or with a certificate from the Revenue authorities that the use of water that the applicants intend to make will not interfere with any existing arrangements of water supply of other villagers who may have a prior right and that they have no objection to the use of the water by the applicants.
2. The Divisional Forest Officer will inspect the site and see that no trees are required to be felled in constructing the Kuhl or no damage is likely to occur to forest land or forest growth by construction of Kuhl and submit his recommendations to the Conservator of Forests.
3. The Conservator of Forests will be the authority to grant or refuse the permission to construct the Kuhl. Permission will usually be subject to the condition that it can be withdrawn when there is reason to believe that any damage has been done to forest soil or forest growth by the Kuhl or by the villagers who construct the Kuhl.
4. In cases permission has been given to construct the Kuhl a written agreement will be taken from villagers that they will be responsible for any damage they may do to the growth in the forest and that permission will be withdrawn in case any damage is done to the forest soil or forest growth either by the Kuhl or by the villagers using the Kuhl.

DATED SRINAGAR :
18th May, 1933.

(Sd.) V. N. Mehta,
Revenue Minister.

237. PANDIT RAM CHANDRA DOBEY : In the last session, in answer to my question the Hon'ble Home Minister for Education stated that in the Jammu college twenty-nine students of 2nd year class were detained from appearing in the University examination in 1936, on account of the fact that they could not fulfil the condition of securing 25 per cent. marks in the final test.

Will Government please place on the table a statement showing the number of the students, in both the colleges, detained each year under this rule during the last five years, from appearing in the University examination? Is this rule followed in the colleges of the Punjab as well? If not will in future the students of the State be treated in the manner in which those in the Punjab are treated?

THE HON'BLE MR. WAJAHAT HUSSAIN : The order to which the member refers was issued in 1934. A statement for the years 1935 and 1936 is placed on the member's table :—

No. of students detained in Intermediate and Degree classes.

Year,	Intermeditate.	Degree.	Total.
	P. W. College, Jammu.		
1935 ...	7	3	10
1936 ...	29	4	35
	S. P. College, Srinagar.		
1935 ...	18	7	25
1936 ...	21	10	31

The rules followed in the Punjab colleges are not known. The last question does not arise.

238. KHAWAJA ALI MOHAMMED : Is it a fact that within the Municipal limits particularly and in villages generally 'Begar' or exacting forced labour is prohibited?

(*b*) If the answer be in the affirmative, why Ahad Bat Lambardar of Lachhmanpura within the Municipal limits was punished with a fine of Rs. 5 by the Tehsil Badgam on the report of a Chowkidar to the effect that he failed to arrange coolies to convey official Dak free of cost from Srinagar to Badgam?

(*c*) Will Government please explain why Government orders are not complied with?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Yes.

(*b*) The name of the Lambardar is Rajab Bat and not Ahad Bat. He was ordered by the Zaildar to arrange delivery of telegrams to Tehsil Badgam through a coolie, there being no Telegraph Office there. No orders for supply of coolies free of cost were given to him. He was fined by the Tehsildar on administrative grounds for refusal to comply with orders.

Zaildars, Lambardars and Chowkidars are part and parcel of the administrative machinery.

The Lambardar filed an appeal against the Tehsildar's order which was rejected by the Wazir. The case is subjudice as 2nd appeal is pending before the Governor.

(*c*) In view of the reply given under (b) above, this does not arise.

239. PANDIT RAM CHANDRA DOBEY : Considering the number of the boys is the accommodation in the building of the Middle School at Hiranagar in Kathua District sufficient?

In the last session, in reply to question Q. D. No. 702, the Government stated that the estimate of Rs. 8,067 had been sanctioned but owing to the lack of funds the work could not be undertaken, will Government please complete the work in the current year? If not, why?

THE HON'BLE MR. WAJAHAT HUSSAIN : No.

A sum of Rs. 8,067 has been proposed in the Budget for the Fasli year 1993-94.

240. MIAN AHMED YAR : Will Government please issue instructions to the Forest officers that they should not prohibit the zamindars from killing wild beasts while keeping watch over their crops when such wild beasts happen to visit their fields and damage the crop and that no action be taken against the zamindars on this account?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : A free permit for protection of crops and cattle against wild animals is already issued to the zamindars on application to the Divisional Forest Officer concerned or the Game Warden and they can shoot wild animals on that permit on their own lands and within village boundary under prescribed rules.

241. KHAWAJA ALI MOHAMMED : (*a*) Is it a fact that Hon'ble Justice Sawhney purchased a plot of land at Hazratbal, Batapur, Srinagar at the Court auction?

(*b*) If so, will Government please state whether it is lawful for a High Court Judge to bid at the auction in a case heard by himself in the appellate court?

(*c*) Had Justice Sawhney obtained the permission of the Government to make a bid?

(*d*) If the answer be in the affirmative, will it be stated as under what circumstances such permission was given?

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM : The Judicial Minister is informed by Mr. Justice Sawhney that reply to (*a*) is in the negative.

(*b*) In view of the reply to (*a*),(*b*), (*c*) and (*d*) do not arise.

KHAWAJA ALI MOHAMMED : If it is proved that he has done so will any action be taken then?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Proof is a different thing. You should write to the Hon'ble Chief Justice. I can make no further enquiry in such cases.

242. PANDIT RAM CHANDRA DOBEY (Kathua :Hindu) : In the last session in reply to the 2nd part of question Q. D. No. 704 (S. No. 783) asked on 8th April 1936, Government stated that they would repair the Hiranagar-Ramkot road and that the funds for it would be provided from the budget of the Revenue Department. Will Government please state whether sufficient amount has been provided in the current year's budget for the special repairs of this road so that tonga and lorry traffic may be made possible up to Ramkot? What amount has been sanctioned in the budget for this work?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Estimates for special repairs are being prepared. Funds will be allotted as soon as estimates are ready.

243. KHAWAJA ALI MOHAMMED : Is it a fact that some Judge of the High Court of the State has been continuing propaganda in his favour and against Sir Barjor Dalal Kt., Chief Justice through the newspaper Watan? If the answer be in the affirmative, are Government prepared to publish some statement regarding it?

NOTE.—The above question was withdrawn by the member with the permission of the House.

244. PANDIT RAM CHANDRA DOBEY : In the last session, in reply to question No Q. D. 697, regarding the attendance of Chowkidars at police-stations the Government stated that the Chowkidars of villages situate within radius of ten miles from the police-station attend the police-station every week and the Chowkidars of the villages situate beyond the radius of ten miles from the police-station attend after every fortnight for the efficient discharge of their duties. It is desirable that there should be a uniform practice regarding the attendance of the Chowkidars. Are Government prepared to prescribe a fortnight attendance of Chowkidars of all villages at the police-station? If not, why?

THE HON'BLE MR. WAJAHAT HUSSAIN : In order that information regarding events in villages may be furnished within reasonable time it is considered desirable that Chowkidars should report to police-stations once a week but as this practice would cause

hardships to Chowkidars of villages situated far off from the police-station, Chowkidars of such villages report only once a fortnight. It is not considered desirable to alter the present practice.

245. PANDIT RAM CHANDRA DOBEY : What is the total number of candidates in the Patwar school at Jammu which has recently been set up?

How many among them are Muslims, how many Sikhs and how many Hindus and from amongst Hindus how many are Rajputs, Brahmans, Khatris and Mahajans?

How long will it take them to complete their present course and when will the next batch be taken?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM :

Total number of candidates in Patwar school			93
Muslims			35
Sikhs			2
Hindus	56	Rajputs	25
		Brahmans	24
		Khatris	2
		Mahajan	1
		Chamar	1
		Megh	1
		Jhewar	1
		Jat	1

Completion of present course expected by the end of Assuj 1993.

Nothing yet decided regarding next batch.

MIAN AHMED YAR : When was this school opened? Was it done before the Glancy Commission or after it?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : After that. It has been opened this year.

246. WAZIR GANGA RAM : (*a*) Are Government aware that in reply to one of my questions No. 135 in the first session of the Praja Sabha it was stated by the Government that in future the policy of the Government would be this that no student will be deputed for training unless there is a possibility of some posts falling vacant or circumstances may arise whereby it is considered necessary to send some student?

(*b*) If the answer be in the affirmative, it may please be stated as to why was the necessity of sending a large number of students for foreign training felt recently in face of the above mentioned conditions?

(*c*) If there were certain reasons for this, will Government place these before the House and state as to why preference has been given to persons belonging to only one community.

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) Yes.

(*b*) Conditions having changed and there being prospect of vacancies occurring in the near future. it was considered necessary to depute candidates for foreign training for absorption in these vacancies.

(*c*) The member is referred to the reply to Q. D. No. 323 (*b*) answered today.

247. PANDIT RAM CHANDRA DOBEY : Are Government aware that roads in Basohli Tehsil are in a very wretched condition? The attention of the Government has been invited repeatedly for the last two years particularly to the condition of the following roads :—

(1) Basohli-Bhadarwah road
(2) Basohli-Jammu *via* Ramkot.
(3) Basohli-Ramnagar *via* Samna Banj?

Will Government please provide sufficient funds in the current year for repairing them? What would be the estimates for such expenditure?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : *1st part.*—Provision of Rs. 3,000 odd is annually made for repairs to roads in Basohli Tehsil out of which Rs 1,000 is provided for Basohli-Bhadarwah and Rs. 295 for Basohli-Ramnagar road.

2nd not —Does not arise.

PANDIT RAM CHANDRA DOBEY : Can this sum be sufficient for such long roads?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : This is a large amount when compared to the income from road cess. In reply to a question by Lala Hans Raj you will be informed of the amount provided against the income from road cess.

248. WAZIR GANGA RAM : Are Government aware that the cattle from Poni town greatly damage the crops of the zamindars of the neighbouring villages, and the cattle pound being at a considerable distance, the zamindars cannot take the cattle there, since the nearest cattle pound is at Reasi which is situate at a distance of 12 miles and the river Chenab which is in flood in the rainy season stands in the way? If the answer be in the affirmative, will Government make arrangements for establishing a cattle pound at Poni? If not, why not?

THE HON'BLE MR. WAJAHAT HUSSAIN : No report about damage done by the cattle of Poni town to crops of the neighbouring villages has been received. The distance between Poni and Reasi is 12 miles, separated by the river Chenab.

(*b*) No representation to this effect has been made by the inhabitants of the locality. The Superintendent of Police Udhampur however on his next visit will look into the matter regarding the feasibility or otherwise of opening a cattle pound at Poni.

249. *Information promised in reply to a question* (*S. No.* 586)

(*Q. D.* 586) *asked on the 4th April* 1936 *by* :—

HAJI AHMEDULLAH SHAHDAD (Tashawan, Srinagar City : Muslim) : Will the Hon'ble Judicial Minister be pleased to state :—

(*a*) The sum collected as Registration fee in Jammu and Kashmir State?

(*b*) The total amount of such fee charged from Muslims?

(*c*) The total amount of such fee charged from the non-Muslims?

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM : The figures are given below :—

			Total.
(*a*)	2,27,653-8	Kashmir Province ...	99,704-8
		Jammu ,, ...	1,27,949-0
(*b*)	1,09,414-8	Kashmir Province ...	55,696-8
		Jammu ,, ...	53,718-0
(*c*)	1,18,239	Kashmir Province ...	44,008-0
		Jammu ,, ...	74,231-0

250. *Information promised in reply to a question S. No.* 172. (*Q. D. No.* 308) *asked on* 18*th March* 1936 *by* :—

MIAN AHMED YAR : Will the Hon'ble Home Minister please state :—

(*a*) The number of appointments of Head Masters and other teachers of the schools respectively made during the year 1931?

(*b*) The number amongst them respectively of Muslims and of non-Muslims?

(*c*) The present number of Muslim and non-Muslim teachers and Professors of schools and colleges of the State respectively with their pays?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) and (*b*) *Number of appointments made since* 1931 (*Male Education*).

		Muslims.	Non-Muslims.	Total.
Gazetted	...	3	3	6
Non-Gazetted	...	306	250	556
Total	...	309	253	562

(*c*) The total number at present :—

		Muslims	Hindus	Sikhs.	Others	Total
Gazetted	...	15	52	2	1	70
Non-Gazetted	...	744	1,303	70	17	2,134
Menials	...	86	124	8	4	222
Total	...	845	1,479	80	22	2,426

Pay drawn at present :—

		Muslims.	Non-Muslims.	Total
Gazetted	...	34,332	1,32,037	1,66,369
Non-Gazetted	...	2,4?,972	5,28,092	7.71,064
Menials	...	10,619	18,751	29,370
Total	...	2,87,923	6,78,880	9,66,803

251. *Information promised in reply to a question S. No.* 706 (*Q D. No.* 596) *asked on the 7th April* 1936 *by* :—

HAJI AHMEDULLAH SHAHDAD : Will the Hon'ble Judicial Minister be pleased to state :—

(*a*) How many posts of clerks, peons and Gazetted officers have fallen vacant in the Judicial Department since the passing of the orders to act according to the recommendations of the Glancy Commission?

(*b*) How were the above mentioned posts distributed? How many of these posts were given to Muslims, Hindus and Kashmiri Pandits respectively?

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM : (*a*) The posts of 28 clerks, 22 menials, and 8 Gazetted officers fell vacant from the period Glancy Commission recommendations were accepted.

The distributions of the above posts is as under :—

		Mohammadans	Hindus.	Kashmiri Pandits.	Sikhs.
Gazetted	...	4	2	2	.....
Clerks	...	23	2	1 (1 temporary)	1
Menials	..	16	3	2	1

252. *Information promised in reply to a question S. No.* 418 (*Q. D. No.* 546) *asked on the 26th March* 1936 by :—

SHEIKH MOHAMMED AMIN (Jammu City :Muslim) :Will Government please state in what Illaqas the work of the construction of wells is under consideration?

THE HON'BLE MR. WAJAHAT HUSSAIN : The list of tanks and wells the estimates for which have been prepared is placed on the member's table.

List of tanks and wells in Kandi Illaqa to be improved and constructed during 1992-93.

Serial No.	Name of works.	Sanctioned estimated amount.	REMARKS.
1	Repairs to a tank and construction of Ghat at village Garh Sohel, Tehsil Akhnoor ...	1,000	These works have since been started and are in progress.
2	Construction of a well in Chak Bhawan, Tehsil Akhnoor ...	5,860	
3	Construction of a well at village Danoh, Tehsil Jasmergarh ...	9,147	
4	Construction of a well in village Akalgarh Tehsil Mirpur ...	7,000	
5	Completing the remaining portion of Manawali well in village Deva Tehsil Bhimber ...	3,717	
6	Completing the remaining of a well at village Watala, Tehsil Bhimber	1,279	
7	Additions and alterations to a well at Nowshera ...	138	
8	Protection work of a tank in Birpur, Tehsil Samba, on Purmandal Road	204	
9	Repairs to a well in Rakh Barootian, Tehsil Samba ...	203	
10	Removing silt from tank in Gurah Salathian (Mandi Andrah) ...	343	
11	Clearing the well in Panjgram, Tehsil Jammu ..	105	
12	Repairs to a well at Jakh in Tehsil Samba	103	
13	Improvement to Dahho well in Tahsil Samba ...	98	

Serial No.	Name af works.	Sanctioned estimated amount.	Remarks.
14	Repairs to Kopurgarh tank ...	47	
15	Repairs to Kadal tank in village Raya Suchaina, Tehsil Samba ...	624	
16	Improvement and repairs to Chanas village tank, Tehsil Reasi ...	102	
17	Repairs to Adhi Dhak well on Bhimber-Thana Road ...	27	
	Total ...	29,997	
18	Silt clearance from Adhi Dhak tank on Bhimber-Thana Road. ...	100	
19	Clearance of Mulba from well in village Kalceth, Tehsil Akhnoor ...	82	
20	Silt clearance and repairs to tank in village Deeli, Tehsil Jammu ...	414	
21	Proposed ar angement for supply of drinking water for the inhabitants of Solara village ...	83	These works will be done against saving due to less percentage of the contractors.
22	Repairs to Mandir Wali Talai in Mohrababli Mogra Sadyal village Khara Madan, Tehsil Samba ...	188	
23	Repairs to Malanger Wali Chhappari in village Taran, Tehsil Reasi ...	250	
24	Protection of a tank at Gurah Salathian, Tehsil Samba (New Chhappari ...	148	
25	Special repairs to Narwal tank, Tehsil Jammu ...	694	
	Total ...	1,959	

SHEIKH MOHAMMED AMIN : There was a pressing necessity village Ghrot of Tehsil Samba. I wrote to the Hon'ble Home inister about it last year also, but no consideration was given to e matter though I sent two reminders subsequently.

THE HON'BLE MR. WAJAHAT HUSSAIN : Please write again d it will be considered.

SHEIKH MOHAMMED AMIN : I reminded you of it twice.

Finance Minister's Speech
on the
Occasion of presenting to the Praja Sabha the Budget Estimates for the year 1993-94.

The Budget estimates for the year 1993-94 now being esented to the Praja Sabha have been prepared in a more detailed rm than the one adopted heretofore in accordance with the decision Government announced at the time of the presentation of the idget last year. The consolidated statement which used to be ached to the Budget estimates has been split up into four parts order to show clearly and in detail the Revenue and Expenditure timates, Debt Head Transactions and the Investment and the ish account. To make the statements more authoritative, certifites by the Accountant General have been appended to them. The l statement was not readily intelligible to a layman and aroused a rtain amount of criticism at the last Budget session for this reason. is hoped that the estimates as now presented will meet with the proval of the House.

ACTUALS OF 1991-92.

2. The accounts for the year 1991-92 closed with a total Reve- e of Rs. 2,43,27,805 and an Expenditure of Rs. 2,30,64,770 e resulting surplus being Rs. 12,63,035. There was an increase Revenue to the extent of Rs. 14,93,805 and a saving in Expendire of Rs. 4,26,230 as compared with the estimates of the year. he main increases of Revenue occurred in Forests (4.68) lacs, istoms (10.45) lacs and Sericulture (3.78) lacs. Appreciable imovements also occurred under several other heads noticeably lectricity, Administration of Justice, Stamps, P. W., Excise, ilitary and Grazing. These increases were partly counterbalanc- by decreases under certain other heads which deserve no ecial mention. The savings occurred under many heads of Exnditure, the important ones being Sericulture (1.62 lacs), Electric epartment (.80 lacs), Privy Purse and allowances (2.66 lacs), olice (.58 lacs), Education (.84 lacs) and Military (2.15 lacs), he savings were partly counterbalanced by an excess of 2.28 lacs der Refunds.

Revised Estimates for 1992-93.

3. The revised estimate shows an improvement of Revenue to the extent of Rs. 2,43,000 over the Budget estimate of Rs. 2,39,28,000 and a saving in expenditure to the extent of Rs. 6,49,000 resulting in a surplus of Rs. 4,46,000 against the deficit of Rs. 4,46,000 originally estimated. The causes which have brought about this surplus are similar to those in the previous year. The main increases of Revenue are noticeable under (1) Land Revenue (.60 lacs) and Customs (1.19 lacs). These increases are partly counterbalanced by decreases mainly under Sericulture (Rs. one lac) and Income Tax (.50 lacs). The principal savings are .91 lacs under Sericulture, .76 lacs under General Administration, 1.17 lacs under Education, .38 lacs under P. W. D., 4.10 lacs under Military and .66 lacs under Pensions and Gratuities. There is a likelihood of an excess of Rs. 3.77 lacs under Refunds and of Rs. 1.64 lacs under Miscellaneous which are expected to be met out of anticipated savings under other heads.

4. The surpluses have been utilized in investing money in securities of the Government of India to the extent of Rs. 25 lacs and repaying a loan taken from the Dharmarth Department to the extent of Rs. 4.16 lacs. The estimates for these two years are liable to the criticism that the Revenue was under estimated and the Expenditure over-estimated consistently. So far as the estimates of Revenue are concerned, conservative estimates were as natural as wise after, the previous years of depression. To some extent the increase in Revenue was due to windfalls. As for Expenditure estimates, they are mostly based on sanctions which are not fully worked up to for various reasons, the principal one being that the Expenditure is liable to fairly stringent audit. The position of Revenue has now become more or less steady and in the next year's estimates Expenditure figures have also been pruned down. It is, therefore, expected that the estimates will prove to be more accurate than the previous ones. As a corollary to this, extra grants during the next year will have to be minimised and confined to unforeseen expenditure of an emergent character.

Budget Estimates 1993-94.

5. The Budget estimate provides for a total Revenue of Rs. 2,47,05,000 against a total Expenditure of Rs. 2,47,03,000. The Revenue shows an increase of Rs. 7,77,000 over the previous year, the chief increases being under Forests (Rs. 6.03 lacs) and Customs (Rs. 1.19 lacs).

6. It will be noticed that during the 3 years under review the Revenue will have risen from Rs. 2,28,34,000 to Rs. 2,47,05,000. The Expenditure estimates will show that almost the whole of this increase has been utilized for expenditure of a beneficent character. The cost of general administration has remained practically un-

changed except to the extent of restoring recently the 10 per cent. cut in salaries to which the Government was committed. There are small increases in the Police Department, in the Praja Sabha office and in the Judicial Department all the items being as beneficent to the public as expenditure in other departments.

7. In the P. W. Department, the Expenditure estimate stands at Rs. 23,51,000 compared with Rs. 22,38,000 in the previous year. The main items included in the Budget apart from normal expenditure are (1) fair weather road from Nowshera to Jhangar Rs. 54,240, (2) fair weather road from Akhnoor to Sidhoti Rs. 1,32,100, (3) motor road from Kathua to Basohli Rs. 24,000, (4) Mirpur-Bhimber road *via* Chapper Rs. 17,000, (5) Bridge on the Tawi near Rajouri Rs. 28,000, (6) enlarging and improving tanks and wells and constructing new ones in the Kandi Illaqa Rs. 40,000, (7) metalling the Jammu-Samba road Rs. 12,000, (8) remetalling and coal-tarring 3 miles and 16 chains of the Banihal road beyond Amar Mahal gate lodge Jammu Rs. 30,000, (9) motor road from Batote to Bhadarwah Rs. 35,000, (10) Ans bridge on nallah Ans Rs. 15,000, (11) Zaina Kadal and Haba Kadal bridges Rs. 50,000, (12) improvement to water supply Srinagar Rs. 20,000, and (13) construction of a bridge at Sati Rs. 20,000.

8. The P. W. estimate contains a provision of Rs. 60,000 for improvement of water supply in the Srinagar town and the Kandi Illaqa. The Budget of the Chief Engineer Electrical and Mechanical Departments also contains a provision of Rs. 28,006 for improvement of water supply in Jammu. The Telegraphs and Telephones Department provides for new Telegraph Offices at Sopore, Handwara and Jasmergarh and telephone installations at the Banihal Tunnel and Ranbirsinghpura.

9. In the Medical Department there is a provision for large additional items of expenditure, namely, the T. B. Hospital Rs. 22,217 and the Zenana Hospital at Mirpur Rs. 25,053 along with increase in Grants-in-aid etc. Rs. 1,500 Rs. 1,35,000 received as contribution from the Silver Jubilee Fund is also to be spent in addition on constructions and other initial expenditure. It is the intention of Government to adopt a programme for construction of new hospitals and extension of medical facilities and to set apart two lacs every year for the purpose for as many years as might be necessary. The amount has not been provided in the next year's Budget, but if it is found possible, as it is hoped will be the case, to start the work this year the expenditure will be met by an extra grant if possible or from the reserve.

10. In the Education Department there is as usual a provision of Rs. 20,092 (five months' cost) for the opening of new schools both for boys and girls and in addition to this a provision

of Rs. 19,619 for a new College of Science and Technology. Rs. 30,000 has also been provided for normal increase in Grants-in-aid.

11. A special feature of the Budget this year is the large provision in the Revenue Budget for schemes of public utility relating to agricultural development, cattle-breeding, agricultural instruction and rural reconstruction. This makes the old classification of certain departments as beneficent, meaningless; the estimates in the Revenue and several other Administrative Departments bearing testimony to their solicitude for the public weal. The specific provisions are :—

(1) Training of sons of zamindars, Rs. 1,920, (2) opening of an Agricultural Farm at Reasi, Rs. 5,760, (3) construction of sheds for stipendiaries, Rs. 3,600, (4) purchase of bullocks, implements etc and propaganda work. Rs. 6,000, (5) Cattle Breeding Scheme, Rs. 17,000, (6) purchase of stallions, Rs. 4,500 and (7) rural reconstruction work, Rs. 3,600. There is a provision for extension of the Veterinary Department also, the additional grants of the department being (1) Rs. 10,000 for opening of a new Veterinary Dispensary and (2) Rs. 1,939 for the inspection post at Domel.

A special officer has been put in charge of rural reconstruction work after training in India, the department now costing Rs. 17,300.

Scholarships have been provided for imparting agricultural instruction to the sons of zamindars and also for the training of forest employees. It will be noticed from the Education Budget estimate that a start has been made in that department also for imparting agricultural instruction to scholars. In all this work of rural reconstruction His Highness' Government has decided to follow a policy of steady expansion.

Genral Financial Position.

12. A reference has been made above to the investing of surpluses in Government securities and a word is to be said in justification of the policy which has dictated this course. During the period of depression Government had to draw on the reserves to the extent of Rs. 91 lacs apart from obtaining a loan of about Rs. 5 lacs from the Dharmarth Department. The Sabha might try to imagine what the position would have been during these years of depression if there was no reserve to draw upon. Either a loan would have had to be contracted which would have been a dead weight on the Government finances for a long time to come or extra

taxation would have had to be resorted to, which would have imposed great hardship on the people at a time when they were least able to bear it or expenditure would have had to be cut down far below the minimum required for efficient administration. It was the reserve at the disposal of Government which enabled it to avoid all these courses. A partial recoupment of that reserve is not therefore a thing at which the Sabha could cavil.

13. For the three years under review the Revenue and Expenditure of the Government have been balanced on the basis of capital expenditure also being met from General Revenues. Under Debt Heads there is a net liability of Rs. 33,83,120 against which Government has a reserve of Rs. 91,30,000 almost entirely in Giltedged Securities. The Government derives a net income of Rs 8,66,000 from its capital works and of Rs. 1,83,000 from interest. The cash balance during these years has been sufficient for our needs. Apart from sufficient balances being kept at all treasuries for their requirements, a reserve of over Rs. 10 lacs has been kept at the Banks. It is hoped that the Sabha will consider this position quite satisfactory judging it by all tests of public finance.

CONCLUSION.

14. In presenting the Budget last year a hope was held out that the Budget for the next year would be a prosperity Budget, and I leave it to the Praja Sabha to judge how far that hope has been fulfilled. I look forward to even a brighter future given the necessary condition of proper response from the people to the efforts of the Government to serve them and to advance their prosperity.

(Sd.) KARTAR SINGH,
Finance Minister.

SARDAR BUDH SINGH : Considering the income of the State, the Hon'ble Finance Minister's speech is not encouraging so far as works of public utility are concerned. The Poonch and Chenani Budgets have been prepared without our consultation, and funds have not been provided for necessary works of public welfare and utility. As against this lakhs of rupees have been provided for the enormous expenditure on salaries etc.

Being dissatisfied with the present constitution and the unsympathetic attitude of the Government in working it, we staged a walk out when the Government opposed the resolution regarding reduction in high salaries and then we passed a resolution about non-cooperation in the budget. A copy of the resolution has been submitted to His Highness the Maharaja Bahadur. As sufficient funds have not been provided in the budget for works of public utility it is not acceptable to us. The Budget is also deficient as

no provision has been made for giving practical shape to the noble intentions cherished by His Highness the Maharaja Bahadur for the welfare and prosperity of His subjects. The royal proclamation has not also been given effect to. It is, therefore, difficult for us to accept the whole budget.

MIAN AHMED YAR : Sir, our speeches on the budget will not be lengthy today, because we have had opportunity to discuss the budget twice before but the discussions availed us little ; nor does it seem likely that any good will accrue to the people.

We still continue to fall victims to the atrocities of the Government officials and our demands for works of public utility prove like cries in the wilderness. The constitution we have been granted is hollow. The action taken by the executive on the bills and resolutions passed by the House is very discouraging. These are circumstances that compel us not to take any part in the budget discussions. The bills and resolutions that are passed in this House do no good but prove harmful. If this is what we can do here it would mean that we are associating ourselves in doing harm to those who have sent us as their representatives This House is like a church where the priest reads the sermon and the audience is sleeping. The Council goes on reading the sermon and we have to lull ourselves to sleep. Our demands for works of public utility are turned down for nothing. I will draw the attention of the House only to the fate met by the resolution regarding Nalamar. What consideration has the Council given to it so far?

With these words, I support Sardar Budh Singh.

COLONEL ABDUR REHMAN : Sir, the budget has been placed before us twice before. The budget, the expenditure and the balance are all very good to look at, but facts are quite different. Thousands of people have got tired of the taxes that are forcibly realized from them. Several persons have committed suicide. We have been repeatedly requesting the Government to reduce the heavy taxes. A demand was made for reduction in Kahcharai, revenue on 'Barani' areas and Abiana but they have not been reduced at all. We have been requesting His Highness' Government for the construction of bridges and roads. The Hon'ble Home Minister promised thrice that a bridge would be constructed at Jagamun. Even in the last session I remarked whether things would always remain the same. I would respectfully submit that our demand for bridges, roads, hospitals etc should be satisfied and water supplied wherever necessary.

It seems that even this budget will do us no good. The budget before us is apparently all right. Its exterior is clean but the interior is rusty. It seems that it contains nothing which we would consider and then arrive at some conclusion. I have happened to meet His Highness the Maharaja Bahadur once or twice and

found that His Highness has got great sympathy with his subjects.

When General Janak Singh Ji was the Revenue Minister, it was once complained that two trees had been cut down in Udhampur. His Highness was much grieved to hear this.

I hope if our prayers reach His Highness the Maharaja Bahadur, he will certainly do something for us. Therefore I agree in toto with Sardar Sahib.

MOULVI MOHAMMAD ABDULLA : Sir, on a consideration of the budget, I find that an anecdote narrated by Sadi (سعدي) holds good with regard to it.

Sadi has said that a carpenter has three tools, a plane with which he planes the timber and throws the strips off, an adze which he moves towards himself and a saw which he moves partly to his side and partly towards the side opposite to him. The budget before us like the adze. I mean it is self-serving Plane apart, even if it were like the saw, I would have supported it. I, therefore, agree with Sardar Sahib.

PANDIT RAM CHANDRA DOBEY : The resolution moved on 6th October was an experimental stage for this budget, because is was designed to see how far Government would accept our legitimate demands. We found at that time that the Government is not going to treat us justly as we expected it to do. Three resolutions were passed in the last budget sessions, but they were rejected under Section 37 The one pertained to income tax and the other was about supply of water in the Kandi Illaqa. This being the condition of the budget.

A VOICE : Thirty thousand rupees have been provided for water supply in Kandi.

PANDIT RAM CHANDRA DOBEY : The demand was not accepted as proposed. The request was for a sufficient amount of money, but no heed was paid to it.

THE HON'BLE MR. WAJAHAT HUSSAIN : It is not my duty to raise any objection to the speech of the members but the fact is that only thirty thousand rupees were demanded by Choudhari Chattar Singh in his resolution about the supply of water in Kandi Illaqa. The Leader of the group is not perhaps aware of it. Not a penny more than thirty thousand rupees was demanded and this sum was provided by the Government.

PANDIT RAM CHANDRA DOBEY : The idea in moving the resolution was that a sufficient amount of money would be provided. In the presence of these circumstances we cannot hope to increase or decrease the budgetted amounts by even a pie. As already statd by some other members there is no reason why we should cooperative in the budget discussions.

LALA HANS RAJ : Sir, for a long time I was thinking of finding out some means of making some submissions to the Govern-

ment. This was my long cherished hope which, God be thanked, has now been fulfilled. In view of the genuineness of our demands, His Highness was pleased to constitute this Praja Sabha. This we hoped would end our period of infancy. (Laughter)

A VOICE : Is this correct Urdu?

LALA HANS RAJ : I mean the time when the people of this State had no education and were ignorant. The Government acted according to its sweetwill, in the past. But now there are many learned persons like Pandit Jia Lal Kilam who know the condition of the people and can well state it in this House. My submission is that the money raised from the public by the Government should not be spent without consulting the public representatives. I submit, Sir, that for the last two years I was hearing of what happened here, though I had no opportunity to be here personally.

I will place before the House all that makes me feel for the subjects. Public money is being spent carelessly by men who have no sympathy with the people. I am prepared to state all this before His Highness the Maharaja Bahadur, at any time.

By constituting this Praja Sabha His Highness the Maharaja Bahadur has granted us a right to express the grievances of the public here and it is the duty of the Hon'ble Ministers to remove our misunderstandings.

My submission is that the present method of spending money is not right. The people have derived no benefit from the expenditure incurred on the Praja Sabha, during the last three years. I therefore agree with what has been said by my learned brethren in this House and hope that our submissions will be duly considered.

PANDIT AMAR NATH KAK : Sir, before expressing my own views on the budget, I would like to say something about the views expressed by the learned speakers and the policy to be adopted by them. I share some of their views but as, in view of the present constitution, the elected members do not consider it proper to participate in the budget discussions, I do not agree to the policy that they are going to adopt.

NOTE.—**At this stage the elected members except Lala Hans Raj walked out and the speaker continued his speech.**

Before putting my views before the House, I would like to state how the present constitution was framed. As this will take some time, I would like, Sir, to request you respectfully that, keeping this subject in view, I should be given sufficient time to speak. When the grievances of the public were laid before His Highness the Maharaja Bahadur at first, it was requested that the people should be associated in the administration and legislation of the State. His Highness the Maharaja Bahadur was pleased to com-

mand the appointment of a commission, which was presided over by Mr. Glancy. Mr Glancy coopted the representatives of all communities in the said commission, though we were not satisfied with the representation granted to us. On certain grounds we asked our representative to withdraw from the commission but he did not do so and therefore our community was not granted sufficient representation. The representatives of other communities were on the commission and the present constitution was accepted unanimously. Having accepted the present constitution we came to this Praja Sabha as public representatives and participated in its proceedings for the last four sessions and believed that our demands would be satisfied under it. It was during this period that the sister community made a request for a responsible Assembly and invited us to join them. Not I alone, but all the representatives of my community insisted that there should be no change unless safeguards are provided for the minorities and there is such a change in the mentality as will lead to the grant of proper safeguards to the minorities. Till then our community can join no such demand. My friend Pandit Jia Lal Kilam signed this statement and it was issued after consulting him. I will be untrue to the community, I represent and will be betraying the confidence the community has reposed in me, if I do not act according to its wishes and stay within the House and cooperate with it. I therefore submit, Sir, that the Kashmiri Pandits community, so far as I represent it, does not approve of the policy adopted by the other members today and is not in agreement with it.

The facts with which my community agrees with the other members are, as have been stated by me during the previous years, that the Government does not pay due attention to the beneficent departments. The administration also, as submitted before, is top-heavy. I will quote some comparative figures in support of my arguments. The figures will show that the expenditure in other States is comparatively less than that of this State.

My learned friend Pandit Ram Chandra, Dobey has already quoted some figures about Travancore, which I do not want to repeat. I will only quote some comparative figures from the Travancore and Mysore budgets for the information of this House.

The Mysore budget shows that the income of that State is about Rs. 3,78,00,000. Similarly the income of the Travancore State is Rs. 2,42,00,000 and that of our State is about Rs. 2,47,00,000. These figures show that the income of this State is approximately equal to that of the Travancore State and is one Crore and a few Lakhs less than that of the Mysore State, but the expenditure over the administration of those States is much less than that of our State. There is, for instance, one Dewan in

Mysore with a salary of Rs. 5,000 and there are two other members of the Council each drawing Rs. 2,000 as his salary. There are about twelve Secretaries and Deputy Secretaries whose pays vary from Rs. 150 to Rs. 1,400. Only on Secretary gets Rs. 1,400, two of them get a salary upto Rs. 1,000 each and the rest from Rs. 150 to Rs. 500. If a State, whose revenue exceeds the revenue of our State by one Crore and some thousands can carry on its administration efficiently with one Dewan and twelve Secretaries, we fail to understand the necessity of six or seven Ministers and about fourteen Secretaries in this State.

Mysore has a large population. It enjoys more revenue and the people are also well-to-do. Inspite of all this the administration of that State is carried on with two or three Ministers and a few Secretaries. There is, therefore, no reason why the administration of our State cannot be carried on with two or three Ministers and eight or ten Secretaries. The revenue of the Travancore State is similarly equal to that of our State. The State has only one Dewan whose budgetted pay is Rs. 2,000 but the present Dewan is paid at the rate of Rs. 4,000 because of his outstanding merit. The State has only one Dewan and ten Secretaries including the Assembly Secretary and the Registrar of the High Court. Their salaries range from Rs. 200 to Rs. 900. The revenue of that State is equal to that of this State, but the expenditure over administration is comparatively much less there and it is carried on with a smaller staff. As against this the expenditure over beneficent departments is much more there and forms an interesting study. The expenditure over civil administration is very little.

Our Education grant is Rs 18,93,000, the Medical grant is Rs. 8,75,000 and the grant for Industries is Rs. 68,000. As against this the Education grant of the Travancore State is Rs. 48,13,209 although the revenue is the same in both the States.

The Education grant of the Mysore State is Rs. 51,67,000, the grant for Industries is Rs. 1,61,000 and the Medical grant is Rs. 11,78,000. This shows the amount spent on the beneficent departments and the importance attached to them. It also shows how much is spent on education and medical in excess to what we spend here. In the budget speech read in this House today, we have been told that compared to the previous years the expenditure provided for beneficent departments is more this year. This is no comparision. It is important to state what part of the revenue is spent on such departments similarly situated States, what is the ratio here, and how far such other States have increased such expenditure.

NOTE.—The clock struck one and the House rose for lunch.

(AFTER LUNCH)

PANDIT AMAR NATH KAK (continued) : While stating that

the number as well as the salaries of the Ministers and Secretaries is being increased and the increase is proving an unbearable burden for our revenues, I have also to submit that the same is the case with the heads of departments. Their number is also their salaries are on the increase.

Whenever a post is created, it is never thought by the Government whether it is actually needed or not, nor is any consideration given to the heavy expenditure already incurred on posts of high cadre and to the fact that there are already unnecessary posts of such cadre and salary.

Sir, let us take efficiency now. As is evident from the replies already given to some of the questions, that there are overseers and sub-overseers in the State who have received their training at the instance of the Government and on its expenses. But whenever there is a vacancy it is filled up by appointing as overseer a man who has qualified himself by correspondence course, and such men are held to be qualified by our Public Works Department. Khawaja Salam Shah Naqashbandi is a first class LL. B. by correspondence. If the Government appoints him as a Judge of the High Court, he will be considered a great Law Graduate. (Laughter)

KHAWAJA SALAM SHAH NAQASHBANDI : One of these very members gave me a test. Mian Ahmed Yar was my examiner.

PANDIT AMAR NATH KAK (continued) : Now let us take the Education Department. The Hon'ble Minister-in-charge of the Department and other officers draw high salaries. They have not so far considered the question of educated unemployment. High salaries as they draw, it is their duty to find a solution here for problems that have not so far been solved in British India.

As regards income, I would only submit that our permanent income is decreasing day by day. Let us take Sericulture as an instance. Income from this head is decreasing, as is evident from today's report. This Department of our Government has found out no means which would enable it to compete with foreign markets and raise its income to the former level. The officers of the department draw high salaries but have not brought about any increase in its income.

When we look to the income, we find in that the figures, as stated by me in previous sessions, are not real. Provident fund may be taken as an example. There is no head showing income from this fund.

It is a debt head and interest has to be paid on it. We have never been told about the Provident fund that this debt is increasing. It was never stated before whether this fund has been invested in the form of shares on deposits. The statements has been supplied this year only. But even the little information that I

possess on the subject enables me to say that we have incurred heavy loss in the Government securities that have been purchased, at a time when the price ranged from 108 to 112. As our Government is paying a sum between seventy-five thousands and one lakh in the form of interest on Provident fund, we should know how this fund is being invested, and why it is not shown separately in the budget as a debt which is increasing day by day.

MR. JAGAT PRASHAD, C. I. E. (Accountant General) : It has been stated in the Hon'ble Finance Minister's budget speech. Debt heads as well as the heads of investments and cash securities have also been shown.

PANDIT AMAR NATH KAK (continued) : Let us take income-tax now. Income from this head is decreasing. The original estimate, which did not include tax on salaries was three lakhs Salaries have been assessed to income-tax now and the income shown in the budget is $2\frac{1}{2}$ lakhs, all included. It remains to be seen how much of this amount is derived from salaries and how much from private enterprise. Though I am not in possession of actual figures but it appears that the major portion of this tax comes from the salaries of Government servants. Owing to economic depression, the traders do not enjoy so large incomes now-a-days as would be assessed to income-tax, but the tax is none the less maintained. When all the people are always crying for abolition of this tax, why should it not be abolished. Our Government takes pride on the income it derives from forests and customs. The income from these two heads is shown to have increased. So far as forests are concerned, it is not a permanent source of income. We are spending the wealth that has been accumulated for thousands of years. Plantation does not keep pace with deforestation. The result will be that this income will decrease after some years. The other head of revenue is customs. Thousands of opinions are expressed about it. The question whether this source of income will continue or not and if it continues what should be the conditions is much talked of in the papers.

The second point is that the increase in the income from customs is not due to any increase in the imports and exports, but is due to increased rates of customs duty. The imports and exports do not increase but the rates of customs duty are enhanced with a view to add to the income. This being the state of affairs, I shall close my speech after a fact more.

To increase the prosperity of the country and to remove unemployment from it there is only one way namely the development of industries. Industries ought to have been so developed that the country could thrive, but the condition, as we find it, is that the grant for this important department has not been increased even by a pie. The increase of sixty-eight thousand rupees shown in the

budget is due to the increased salaries of the Mining officers and the Director of Industries. No provision has been made in the budget for any large scale industry in order to make the country prosperous and to remove unemployment. The Government ought to have reduced unnecessary expenditure and provided sufficient funds for this department. It was the duty of the Government to provide a sufficient amount of money for the beneficent department, but this has not been done. The financial report placed before us is discouraging and not encouraging as has been professed. No special attention has been paid towards the betterment of the country.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Any one else to speak.

NOTE.—No member wanted to speak.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : As no other member is going to speak and as the budget discussion has to be continued tomorrow, the House will adjourn till tomorrow when the Government will reply. The Accountant General will start tomorrow after questions.

The Praja Sabha adjourned, till next day (Tuesday) the 13th October 1936.

JAMMU AND KASHMIR PRAJA SABHA.

Tuesday, the $\frac{\textit{13th October 1936.}}{\textit{28th Assuj 1993.}}$

The Praja Sabha met in the Praja Sabha Chambers at Rajgarh Palaces at Eleven of the Clock.

Mr. President (The Hon'ble Sir Barjor Dalal Kt.) in the Chair.

One new member (official) Qazi Mohammad Nizam-ud-Din, Assistant Finance Secretary was sworn in.

QUESTIONS AND ANSWERS.

253. SARDAR BUDH SINGH : (*a*) Will Government please state in which villages half the land-revenue has been remitted in pursuance of the resolution passed regarding the remission of half the land-revenue in villages adjoining game preserves.

(*b*) Will Government please place on the table the list of villages adjoining game preserves created before the Settlement together with notes on "*haisyat dehi*" (village resources) showing the extent of remission in the land-revenue made so far on account of the fact that more damage is being caused to crops now?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Although the proximity of hunting grounds has already been taken into consideration when at the last Settlement revenue was adjusted on villages adjoining hunting grounds, yet in view of the resolution of the Praja Sabha passed on 16th March 1936 the enquiry is being made under State Council order whether there are any villages near hunting grounds created subsequently to the last Settlement and whether any remission of revenue is warranted in the case of those villages. In pursuance of this order of the Council, necessary data has been called for but final reports have not yet been received. It is thus premature to say as to what action would be taken by the Government in the matter, which will depend upon facts and figures awaited.

(*b*) The collection of the information now requisitioned by the member Praja Sabha will take some time and this will be furnished in the next session of the Praja Sabha.

SARDAR BUDH SINGH : Is it a fact that the resolution passed by the House was the land-revenue of village adjacent to hunting grounds set up after the Settlement be reduced by 50 per cent. (*vide* Proceedings of the Jammu Session, Volume IV, page 63). I want to inquire whether the Government had accepted this resolution in full or only a part of it?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The Revenue Minister has stated in his reply that the matter is under inquiry and information has been called for.

SARDAR BUDH SINGH : I want to repeat my question. The question is whether the Government had accepted the resolution in full or a part of it only.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : An inquiry is being made in accordance with the order passed by the Council on this resolution, as to which of the Shikargahs. established after the last Settlement, are such as are adjacent to the villages, where the land-revenue needs being reduced by one half. Urgent orders have been passed about it, but the final report has not been received as yet. Further action will be taken on receipt of the report.

SARDAR BUDH SINGH : Why has full action not been taken, when the resolution was passed long ago?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The Revenue Minister said that inquiry is being made.

SARDAR BUDH SINGH : I want a reply to my question. Has the whole or only a part of the resolution, passed by the House, been accepted by the Government?

THE HON'BLE LIEUTENANT COLONEL E. J. D. COLVIN : The answer is neither. On receipt of information, final orders will be passed.

SARDAR BUDH SINGH : My second question is when a resolution was passed by the Praja Sabha (which has a majority of official members), why has the inquiry not been completed so far? If things go like that, the inquiry will take two years, and the passing of the resolution will prove of no use. How will the loss suffered by villages, where land-revenue has to be reduced be made up?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Retrospective effect can be given to the orders.

SARDAR BUDH SINGH : I may be told whether the Council has accepted the resolution or not. If they have accepted it, why has the inquiry not been completed?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The Prime Minister says that, on receipt of the final report, orders will be issued.

THE HON'BLE LIEUTENANT COLONEL E. J. D. COLVIN : I have explained that nothing has so far been done. Neither has it been cancelled nor accepted. On receipt of the final report orders will be issued one way or the other.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : (To Sardar Budh Singh) He says that the matter is still pending.

254. LALA SHIV NATH NANDA : The subjects of the State complain that the customs duty is imposed on certain articles at a

rate higher than what it ought to be and on certain other articles it is imposed at a rate lower than what it ought to be, and furthermore, complaints have been made through a deputation to the Hon'ble Finance Minister regarding the levy of the customs duty?

If the answer be in the affirmative, will the Government appoint a Tariff Board in order to remove these complaints?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : The question is vague.

With the exception of a few articles imported from India our rates of duty are the same as are prescribed by the Government of India, from time to time for imports into British India, and they are shown on the general schedule of the State Customs Tariff. Certain classes of Indian goods are given preferential treatment, *vide* our Special Schedule.

Does not arise.

MIAN AHMED YAR : Are the tariff of other States kept in view, while fixing the rates of Customs duty?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : Only prices prevailing in British India are kept in view.

255. LALA RAM LAL : (*a*) It may please be stated that since how long Putri Pathshala has been established at Dharamsala Tarui, Tehsil Haveli and how many girls are receiving education in the said Pathshala at present, and how much grant-in-aid is given to the Pathshala by the Government?

(*b*) If the answer to the last part of (a) be in the negative, is the Poonch Administration prepared to provide grant-in-aid to this Pathshala in accordance with the rules followed in Jammu and Kashmir? If not, what are the reasons therefor?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Since Poh 1989.

(*ii*) 45 Girls.

(*iii*) Nil.

(*b*) This will be considered when finances permit.

LALA RAM LAL : When the education grant has been enhanced this year and raised from Rs. 64,000 to Rs. 71,000 why has it been thought unnecessary to provide some money for the Putri Pathshala.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You have just put the question and ask why money has not been provided?

LALA RAM LAL : Questions have been asked about this matter in the first four sessions and a ruling was given about it on 18th April in the last session. It was stated that information would be supplied, but nothing has been done so far.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : (To Wazir Feroz Chand) Will you make a note of it.

WAZIR FEROZ CHAND : All right, Sir.

256. SARDAR BUDH SINGH : (*a*) Is it a fact that among seventy-five members of the Praja Sabha there is a majority of forty-two composed of the nominated members, State Councillors and official members who have no single vote from the people nor do they represent them?

(*b*) If the answer be in the affirmative, how can many harmful laws passed and many important resolutions negatived by the majority vote of the self-styled members against the vote of elected members who represent thirty-six lakhs of State people, though in a minority be regarded as passed or negatived by the Praja Sabha?

(*c*) Will Government please state whether along with all such bills and resolutions as are deemed to have been passed by the Praja Sabha and are submitted for His Highness the Maharaja Bahadur's assent a voting list is enclosed to enable His Highness the Maharaja Bahadur to make out the extent to which public vote and opinion has been incorporated in it?

CAPTAIN KANWAR HIRA SINGH : (*a*) It is true that there are 42 nominated members in the Praja Sabha. Such is the constitution of the Praja Sabha.

(*b*) This is a matter of opinion.

(*c*) There is no rule under which voting list may be enclosed.

SARDAR BUDH SINGH : Why have these 42 members been kept in this House. (Laughter from the official benches)

(No reply was given)

MIAN AHMED YAR : As the publication of voting lists along with every resolution is a practice in the Indian Assembly, any departure from it in our Praja Sabha means an insult to the members. What I mean to submit is that the voting lists should be published so that every body may know how many official members(who have a majority in this House) and how many non-officials have voted for or against a resolution or bill, and it will be possible in this way to ascertain as to what opinion the public holds regarding a certain matter.

MOULVI MOHAMMAD ABDULLAH : If the official opinion predominates in the House, what is the necessity of having public representatives here?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : I can't say anything about it. You can write to the Prime Minister?

SARDAR BUDH SINGH : (To Hon'ble President) Did some of the members send you an application for the publication of voting lists? Is the matter under your consideration? In your notification published in the Government Gazette of Baisakh 1993 it was stated that no individual or Sabha can, in any way criticise the use of his vote by any member of this House, and in case it is done,

proper action will be taken. Mention was also made therein regarding voting list. My submission is that as the voting lists are published in British India and as none of our rules prohibits the publication of such lists, why are they not published here?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The word 'desire' was used in the notice. Desire is not an application.

SARDAR BUDH SINGH : Is there no reply to it then?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : No.

SARDAR BUDH SINGH : All right.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You can write to the Prime Minister about it.

MIAN AHMED YAR : When this is the practice in the Indian Assembly and when there is nothing against it in our Rules of Business and Procedure under what section or rule are the voting lists not published?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You should write to the Hon'ble Prime Minister about it.

SARDAR BUDH SINGH : We have written to the Hon'ble Prime Minister, but have received no reply.

MIAN AHMED YAR : I too wrote to the Hon'ble Prime Minister and he replied that nothing could be done till the matter was decided in the Praja Sabha, but such a decision is not possible here under the present constitution.

When this is the practice in the Indian Assembly, why are the voting lists not published here.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : I know more about rules than you do. Rules of business of the British Indian Assembly provide for the publication of such voting lists whereas there is no such rule here.

257. LALA RAM LAL : (*a*) It may please be stated as to how many Hindu and how many Mohammedan employees whose age were less than fifty years and whose salaries were more than Rs. 50, were retired by the Poonch Administration during the last five years?

(*b*) If the answer to (*a*) be this that the Hindus were retired in larger number, the reasons for it may be stated, and it may also be stated as to why those employees who were below fifty years, have been prematurely retired?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) 8 Hindus and 1 Sikh. No such Muslim was retired.

(*b*) Five as a result of retrenchment, one on account of inefficiency and three for different reasons in the interests of administration.

LALA RAM LAL : In part (*b*) of my question I had asked why employees, below fifty years, were retired prematurely. I have

received no reply to the last part of it.

WAZIR FEROZ CHAND : Reasons have been stated in the reply.

LALA RAM LAL : No, not that. Why was a comparatively larger number of Hindus retired? The last portion of part (*b*) of my question my be replied.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : He says only they had to be retrenched, therefore they were retired.

WAZIR FEROZ CHAND : There was a majority of Hindus among the employees who had to be retired. As there was majority of Hindus employees in service, naturally a larger number of them was retired.

LALA RAM LAL : But their number was not larger in the Police Department.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You have begun to discuss.

258. SARDAR BUDH SINGH : (*a*) Is it a fact that the Hon'ble President Praja Sabha is Judicial Minister and Chief Justice too and also acts as officiating Prime Minister, has also been member and President of many Commissions and has also expresed his opinion as to the administrative policy of the State?

(*b*) If the answer be in affirmative, do not his official position and powers obstruct or stand in the way of the independent opinion of public representatives and other members of the House and the fearless, faithful and honest discharge of their duties when generally the members are Jagirdars, pensioners, Vakils, contractors, Lambardars and Zaildars?

(*c*) Is there any such precedent where a Government official and moreover a Judicial Minister and Chief Justice has been appointed President of Legislative Assembly?

(*d*) Can it be possible for the Hon'ble President when he is the Judicial Minister and Chief Justice also, to remain impartial and not to side with the Government when there arises a difference of opinion between the Government and the representatives of the people; when while presiding, he gives his opinion in his capacity as Prime Minister and Judicial Minister also, for instance, at the time when the Criminal Law Amendment Bill was being discussed, he withdrew certain sections of the bill and as regards the rest he said that they must be passed, and at the time when the resolution regarding corruption was under discussion he said, "when did you make a complaint to us"?

CAPTAIN KANWAR HIRA SINGH : (*a*) Yes.

(*b*) The Prime Minister has no information of the President of the Praja Sabha preventing any member from expressing his independent opinion.

(*c*) A question can be asked regarding a Department under the Prime Minister. Departments of Ministers of other States not being under the Prime Minister. (*c*) Is not answered.

(*d*) How the President of the Praja Sabha behaves, is for the public to judge and not for the Prime Minister. As regards the incident referred to, the Prime Minister who was not present, has been informed that one of the members of the Praja Sabha Mr. Beg, appealed to the President as officiating Prime Minister and the President had, at the time, to express an opinion at the request of one of the members of the Praja Sabha. What the President did, at the time, as officiating Prime Minister, was to withdraw certain sections of the Regulation which were not acceptable to the Praja Sabha. The President is head of the Praja Sabha office and entitled to say that no complaint was made to him about the corruption of any of the staff. Such observation has nothing to do with his position as Judicial Minister, Chief Justice or officiating Prime Minister.

SARDAR BUDH SINGH : It has been stated in part (*c*) of this question, that the Hon'ble Prime Minister can give no reply about the departments under the Ministers of other States. My question was whether there is any instance of one person holding all these posts.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You can ask the Hon'ble Prime Minister questions about this State and not about others.

SARDAR BUDH SINGH : The reply to part (*c*) of the question is that it is for the public and not the Prime Minister to judge how the President of Praja Sabha behaves. I have put this question to the Hon'ble Prime Minister, because the President has been appointed by the Government and not by the public. This being the case, will it be replied?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : It cannot be replied.

SARDAR BUDH SINGH : It is an admitted fact that when the Criminal Law Amendment Bill was introduced in the House, the Hon'ble President expressed his opinion as officiating Prime Minister and said that some sections of the bill might be withdrawn but it was necessary to retain the rest. In view of the Hon'ble President's having thus expressed his opinion; can he be called impartial?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Well, this is an argument.

259. LALA RAM LAL : (*a*) Is it a fact that on account of there being no bridges on Kapaddar, Rampattan and Dhalkotepattans in Illaqa Poonch, loss of human lives is usually caused?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Yes, sometimes loss of human life occurs due to boats capsizing?

LALA RAM LAL : Will the Poonch Government prevent it by constructing a bridge there.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You want bridges to be built at once. How can it be done?

260. MOULVI MOHAMMAD ABDULLA : (*a*) Are Government aware that the "Islah" Srinagar has by publishing certain articles during June 1936 proved that Government alone are responsible for the educational backwardness of Muslims in general and of villagers in particular?

(*b*) If the answer to (*a*) be in the negative, have Government published anything in contradiction of this charge?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) Yes, certain articles appeared in the Islah Srinagar.

(*b*) No, as the statements made in it were clearly untrue.

MOULVI MOHAMMAD ABDULLA : Are the facts untrue or the opinion?

THE HON'BLE MR. WAJAHAT HUSSAIN : Both. Facts as well as opinion.

261. LALA RAM LAL : (*a*) It may please be stated as to whether any Commission for enquiring into the validity of the hereditary State-subject certificates has been appointed in Illaqa Poonch?

(*b*) If the reply to part (*a*) of the question be in the affirmative, it may please be stated as to when the Commission was appointed and whether it has begun its work by this time? If it has begun the work, what is that and if not, the reasons for it may be stated?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Yes.

(*b*) In Phagon 1992. The Committee did not start investigating into the complaints till end of Jeth 1993, the period allowed for filing of objections. The Committee has begun its work and notices have been issued to persons whose certificates have been challenged.

262. SARDAR BUDH SINGH : (*a*) Does Hon'ble Judicial Minister also have a vote in regard to the bills and laws introduced by the Government or the Council?

(*b*) Does the opinion of the Hon'ble Judicial Minister affect or not the resolutions which are passed by the Praja Sabha, and brought before the Council?

(*c*) If the answer be in the affirmative, how can in these conditions the Hon'ble President remain impartial as Judicial Minister and how can in such a state his position as President Praja Sabha when he votes in the Council against the resolutions passed by the Praja Sabha, be deemed to be trustworthy and above suspicion?

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM :

(*a*) There is no voting. His opinion counts in the Council.

(*b*) Council has nothing to do with bills and laws. Bills are passed into laws by the Praja Sabha and the Council has not the authority to stop the passing of any bill.

As to resolutions, after they are passed by the Praja Sabha the Council determines what effect is to be given to such resolutions as are passed and at that time the Judicial Minister takes part in the discussion of the Council.

(*c*) The real procedure is so little understood that there does not appear to be any necessity to answer the portion marked (*c*). It is not understood how the President of the Praja Sabha who does not vote in the Praja Sabha, becomes untrustworthy and under suspicion because subsequently he helps in determining what is to be done as regards any resolution passed by the Praja Sabha. If a question which can be understood is put, the Judicial Minister will be ready to reply to it.

SARDAR BUDH SINGH : Does the Hon'ble Judicial Minister not give his opinion (in the Council) when a resolution passed by the Praja Sabha is rejected by the Council?

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM : This is not your question.

SARDAR BUDH SINGH : My question is whether the Hon'ble Judicial Minister is consulted or not when the Council rejects any resolution passed by the Praja Sabha?

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM : He is also a member of the Council.

SARDAR BUDH SINGH : In what capacity does he attend the Council?

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM : In the capacity of the Judicial Minister.

SARDAR BUDH SINGH : When a resolution, passed by the Praja Sabha, is submitted to the Council, does the Judicial Minister who is also the President of the Praja Sabha give his opinion or not. If he does, how can he remain impartial?

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM : You are arguing.

265. SARDAR FATEH MOHAMMED KHAN : (*a*) Is it a fact that in Poonch post-mortem of dead bodies is conducted only in the Sadar Hospital?

(*b*) Is this also a fact that in the course of carrying a corpse from some very distant place to the Sadar Hospital, it gets decomposed and becomes stinking whereby there is great apprehension of general infection?

(*c*) If the answer to the above parts be in the affirmative, will the Poonch authorities for future make arrangements for post-mortem in the nearest dispensary for the convenience of the people?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Yes.

(*b*) No, because corpses are transported to the Saddar Hospital under proper precautions.

(*c*) Does not arise.

SARDAR FATEH MOHAMMED KHAN : Cannot the post-mortem examination of dead bodies be conducted in local hospitals in Poonch, as in Kashmir. In Poonch dead bodies have to be carried over a long distance for post-mortem examination. The dead bodies putrify in the course of carriage and wages have also to be paid.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Even here dead bodies are brought from great distances.

SARDAR FATEH MOHAMMED KHAN : Sir, why is post-mortem examination not conducted in local hospitals in Poonch as is done in Jammu and Kashmir State?

WAZIR FEROZ CHAND : Even in the State post-mortem examination cannot be done by any doctor below an Assistant Surgeon. Such examination is not conducted in every tehsil.

264. SARDAR BUDH SINGH : (*a*) Is it a fact that after constituting the Legislative Assembly though its powers are nominal—and subsequent to the sanctioning and publishing of the Regulation the term Praja Sabha has been assigned to it?

(*b*) Is it a fact that all the selected members of the Legislative Assembly who are the representatives of the people of the whole State made an application that the term Legislative Assembly instead of Praja Sabha be retained as usual?

(*c*) Is it a fact that the Hon'ble President Assembly rejecting such an application by his own order replied that the term Praja Sabha was appropriate etc.?

(*d*) If the answer to (*a*). (*b*) and (*c*) be in the affirmative, can Government quote any such example or show from a dictionary or a law book the term Praja Sabha conveying the sense of Legislative Assembly when the term and its definition are absent in the Regulation?

CAPTAIN KANWAR HIRA SINGH : (*a*) The Regulation has been amended and the term "Assembly" has been turned to "Praja Sabha". From the beginning such was the intention but that intention could not be put into effect immediately for various reasons.

(*b*) Such a petition was made to the President.

(*c*) The President passed an order of which a copy must have been seen by the member as this is a public order.

(*d*) This is not a question but a cross-examination and is based on difference of opinion. In the opinion of the Government Praja Sabha is a very appropriate term for this Sabha.

SARDAR BUDH SINGH : Why was the term 'Praja Sabha' not

used when the constitution was introduced and we took the oath of allegiance. It has been stated that owing to some special reasons it could not be possible to use the term 'Praja Sabha'. The reasons may be explained to every member of the House, because it is a matter concerning the constitution.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : There was an incident regarding the "Assembly". Sheikh Mohammed Amin went out, he told the people that he was an M. L. A. It was because of this that the British Government asked us to change the name of the Assembly.

SARDAR BUDH SINGH : He would call himself M. L. A. according to the constitution. What was the harm.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : We were asked to change the name.

SARDAR BUDH SINGH : Was our application about retaining the term 'Legislative Assembly' submitted to His Highness or the Hon'ble President passed orders on it himself.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : I passed orders as President.

265. SARDAR FATEH MOHAMMED KHAN : (*a*) Is it a fact that there is no trained hand in the present staff of the Accountant's office?

(*b*) Is this also a fact that in the present staff there are several employees who, in view of their period of service, age, etc. are about to retire?

(*c*) Is this also a fact that the Muslim representation in this department is practically nil?

(*d*) If the answer to above parts be in the affirmative, will the Poonch authorities please depute a Muslim, immediately, for the training of accountancy?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) No one of the Accounts office has passed any examination in accountancy, but the staff is well versed with the work, because of their experience and practical knowledge.

(*b*) No.

(*c*) Their representation is about 23 per cent.

(*d*) This part of the question is premature and does not arise.

SARDAR FATEH MOHAMMAD KHAN : It has been stated in reply to part (*b*) of my question that the representation of Muslims is about 23 per cent. Will the figures be supplied next year.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You are arguing.

WAZIR FEROZ CHAND : They have been published in the Poonch Gazette. You will find them there.

266. LALA RAM LAL : (*a*) Is it a fact that as there is no bridge on Nal Nala, the traffic during the rains remains closed for

days together on account of constant floods in the said Nala near Kotli, District Mirpur?

(*b*) If the answer to it be in the affirmative, it may be stated whether the Kashmir Government are prepared to construct a bridge over that Nala or not? If not, why not?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) Yes.

(*b*) Yes, but not this year.

LALA RAM LAL : Is it not an urgent work.

THE HON'BLE MR. WAJAHAT HUSSAIN : There are other more urgent works.

LALA RAM LAL : Can it not be done next year?

THE HON'BLE MR. WAJAHAT HUSSAIN : No promise can be made?

267. LALA RAM LAL : (*a*) Is it a fact that in Police Department in Poonch the number of non-gazetted Hindu, Muslim and Sikh employees is 17,43 and 7 respectively and that of menials is 35, 155 and 6 respectively?

(*b*) If the answer to (*a*) be in the affirmative, it may please be stated whether this number of the Hindu, Muslim and Sikh employees is in accordance with the recommendations of the Glancy Commission or not? If not, it may please be stated as to how many Hindus and Muslims were retired in the budget year 1992-93?

(*c*) If the answer to the last part of (*b*) be this that the Hindu employees in Police Department were retired in larger number when the number of Muslim employees was already very large, are the Poonch authorities now prepared to make good the deficiency in the number of the Hindu employees? If not, the reasons may please be stated and this also may please be stated whether the Poonch authorities are prepared to stop the recruitment of Muslims in the Police Department so long as the number of the Hindus in the Police Department is not made up? If not, why not?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) No. The member Praja Sabha is mis-informed. Actually there are 33 Muslim, 13 Hindu and 7 Sikh non-gazetted officers in the Police Force. Besides, one Hindu, one Mohammedan and one Sikh are working as Additional Head Constables. The number of menials on the permanent and the additional list is as under :—

	Hindus.	Muslims.	Sikhs.
Permanent ...	34	115	3
Additional ...	12	17	1

(*b*) The appointment in the permanent staff are of a time prior

to the Glancy Commission report. Besides this Commission never fixed percentage of different communities for Government services. Three Hindus and 6 Mohammedans were retired in the budget 1992-93.

(*c*) In view of (*b*) above, this question does not arise. The question of giving due representation to the non-Muslim Communities in the Police Department will be considered when vacancies occur.

268. LALA SHIV NATH NANDA : Many a time questions have been put regarding the fact that there is no decent Hotel at Srinagar for the Indian visitors, with confortable lodging arrangements for the rich people?

If the answer be in the affirmative, will the Government please state whether they will arrange for a Hotel at Srinagar for the Indian visitors in accordance with the terms of the Nedou's Hotel?

If the answer be in the negative, will the Government grant land and some money as security to any State-subject company which may be able to take in hand the work of construction?

CAPTAIN KANWAR HIRA SINGH (On behalf of the Hon'ble Prime Minister) : Government has received no complaint from Indian visitors against any of the existing Indian Hotels in the State nor has any such request been received from any one of them for provision of a better type of Hotels. The matter is entirely one for private enterprise and should any application be received for grant of any concession in connection with the opening up of an up-to-date hotel as contemplated by the member, Government will certainly consider such a request on its merits.

269. SARDAR BUDH SINGH : (*a*) Is it a fact that the Chief Conservator of Forests, Mr. Wright recommended that Malik Sarup Singh is a senior Ranger and the Sikhs have meagre representation in the superior service and gazetted rank and that on communal basis only, it is necessary that one more Sikh gazetted officer may be appointed? Did the Hon'ble Revenue Minister submit a memorandum making mention of the Chief Conservator's recommendation and stating that if a Sikh would be appointed as a gazetted officer, the Sikh community would be satisfied and would understand that His Highness has a mind to make up the deficiency of Sikhs in the executive line? Did His Highness sanction this proposal?

(*b*) Is it a fact that at the time of deputing Malik Sarup Singh to England for training, it was noted down that after completing his training, he should not claim promotion as of right, but his superior education and training would be kept in view for a higher post when selection would be made for promotions?

(*c*) Is it a fact that on his return from England, Malik Sarup Singh was recommended in the month of December 1935

by the Chief Conservator of Forests for a gazetted post and Hon'ble Mr. V. N. Mehta, the then Revenue Minister, also endorsed this recommendation and submitted the case for the sanction of the Government?

(*d*) If the answer to the above questions be in the affirmative, why has Malik Sarup Singh not been granted promotion in the course of the promotions recently granted, although he has passed the highest examination in Forestry and has obtained the Post-Graduate Diploma of Forestry of the Oxford University?

(*e*) Will Government please call for the records of the case and administer justice to Malik Sarup Singh so that the Government may not be blamed of doing injustice and of wilfully violating the rights of a Sikh and so that the principle of appreciating the value of high education and degrees especially in the technical work may be established?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister): (*a*) Yes.

(*b*) Clause 5 of the agreement between Malik Sarup Singh and the Government reads as follows:—

> "It is hereby agreed that this deputation does not entitle the said Malik Sarup Singh to any higher post or pay as of right on his return from deputation but his higher training will be taken into consideration when selection takes place for promotion".

This clause has been definitely complied with.

(*c*) and (*d*) The papers regarding the filling up of vacancies in the gazetted staff are confidential and cannot be disclosed.

(*e*) Malik Sarup Singh's claims for promotion will be taken into consideration along with other claimants on the occurrence of a vacancy in superior service.

SARDAR BUDH SINGH: It has been stated that clause (5) has been definitely complied with. Is it true in the face of the fact that promotions were given recently and Malik Sarup Singh was ignored?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister): Yes, it has been done.

SARDAR BUDH SINGH: What has been done? Have junior men, with lesser qualifications than Malik Sarup Singh, not been given promotions? Has Malik Sarup Singh not been deprived of promotion?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister): It has been done because of communal considerations.

SARDAR BUDH SINGH: Was there no communal question when Malik Sarup Singh was deputed to England for higher education? Was his deputation not recommended by the Chief Conservator of Forests and the Hon'ble Revenue Minister with a view to make

up the deficiency of Sikhs in the Gazetted posts of the Forest Department? As these recommendations were submitted to His Highness, why were they not kept in view.

(No reply was given by the Hon'ble Revenue Minister)

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The question has been replied. You are arguing.

270. LALA SHIV NATH NANDA : Is it a fact that the Hon'ble Home Minister has visited the Amar Nath Shrine twice along with pilgrims? Is it also a fact that the path leading to it is very arduous and necessitates repairing, and in the way such sheds are required which in the event of rain may be of good service to the pilgrims? If the reply be in the affirmative, will the Hon'ble Home Minister win the good will of Hindu public by recommending to the Government for the repairing of the road and the construction of the sheds?

THE HON'BLE MR. WAJAHAT HUSSAIN : Yes. The road from Pahalgam to Panjtarni is not arduous except the stiff climb over Pissu Ghat. The path from Panjtarni to the Cave is difficult and is being realigned. As regards the construction of sheds, the question has not been considered yet.

271. SARDAR FATEH MOHAMMAD KHAN : (*a*) Will it please be stated as to what is the age and period of service of the Accountant, Public Works Department?

(*b*) Is it a fact that the representation of the Muslims in the said department is practically nil?

(*c*) If from the answer to part (*a*) it appears that the present Accountant, in view of his age and period of service, is fit for retirement ; and if the answer to part (*b*) be in the affirmative, will the Poonch authorities appoint some Muslim to this post?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) The present age of the Accountant P. W. D. is 48 years and 2 months and the period of qualifying service 28 years and7 months.

(*b*) The representation of the Muslim community is not adequate.

(*c*) The present Accountant has not attained the superannuation age and therefore the question of his retirement is premature.

SARDAR FATEH MOHAMMAD KHAN : The service of the Accountant is said to be 28 years and 7 months. Is it not advisable to retire employees, who have served for more than 25 years.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : This is an argument.

272. MOULVI MOHAMMAD ABDULLAH : (*a*) Is it a fact that on 8th April 1935, during the Srinagar session the Government admitted that for a long time the State had been granting to the Benares Hindu University and the Sanatan Dharam College a sum of Rs. 12,000 each and that as compared to this no grant is being provided to the Aligarh College and the Islamia College

Lahore.

(*b*) If the answer to (*a*) be in the affirmative, is it intended to spend in future this sum of Rs. 24,000 on the education of the rural population in the State instead of the outside institutions?

CAPTAIN KANWAR HIRA SINGH : (*a*) Yes.

(*b*) No.

MOULVI MOHAMMED ABDULLAH : What are the reasons for "No"?

(No reply was given)

273. SARDAR FATEH MOHAMMAD KHAN : (*a*) Is it a fact that full pension has been granted to Lala Nand Ram and Babu Salig Ram and others at the time of their retirement, without any regards for pension rules?

(*b*) Is this also a fact that Sardar Fateh Bahadur Khan, Jamadar Risala has been retired prematurely, without any regard for his age and period of service?

(*c*) If the answer to the above parts be in the affirmative, will the Poonch authorities, do justice by granting full pension to Sardar Fateh Bahadur Khan just as has been done in the case of Lala Nand Ram and Babu Salig Ram and thus show their kindness to the public ; or else will they oblige him by reappointing him somewhere in order that he may complete the required period of service?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) L. Salig Ram and L. Nand Ram were retired on the posts held by them being retrenched. L. Salig Ram's total period of service including boy service was 28 years and 3 months and he was granted full pension after taking into account his boy service. L. Nand Ram was granted full pension by condoning deficiency of two years as a special case.

(*b*) He was retired on his post coming under retrenchment.

(*c*) The case of Fateh Mohammad Khan has no analogy to the two other cases cited as his service is partly superior and partly inferior for which he has been granted pension and gratuity under rules.

SARDAR FATEH MOHAMMED KHAN : Was it not proper to treat Sardar Fateh Bahadur Khan like Lala Nand Ram.

WAZIR FEROZ CHAND : He was in the superior service and Sardar Fateh Bahadur Khan in the junior.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Law does not permit superior and junior servants to be treated alike.

274. KHAWAJA GHULAM MOHI-UD-DIN KHAN : (*a*) Will the Hon'ble Revenue Minister please state for which Tehsils and Illaqas the contract of preparing and supplying the fruit boxes has been granted to the contractor who is working at Shopian? Is Tehsil Sri Partap Singh Pura also included in this contract?

(*b*) If the answer to part (*a*) be in the affirmative, has this contractor set up any market for the sale of fruit boxes in Badgam Tehsil?

(*c*) If the answer to part (*b*) be in the affirmative, the place where the market has been set up may please be stated, and if the answer be in the negative, the reasons therefor may please be stated?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) No Tehsils or Illaqas are defined in the contract. Is is, however, noted for the information of the Praja Sabha Sad that Government have agreed not to sell trees for fruit boxes to anyone within 20 miles of the saw mill.

(*b*) and (*c*) Do not arise.

KHAWAJA GHULAM MOHI-UD-DIN KHAN : What is the arrangement for persons at a distance of 20 miles?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : There is no restriction on them.

275. MIRZA M A. BEG : (*a*) Are Government aware of the fact that the water of the Nallah Brangi percolates into the earth, and that zamindars feel great difficulty for want of water at the time of irrigation?

(*b*) If the answer be in the affirmative, will Government adopt some practical measures in order to remove this difficulty?

(*c*) If the answer be in the negative, will Government enquire into this matter and inform the House of the findings?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAN (Revenue Minister) : (*a*) No. Bringi Nallah is a big Nallah and difficulty for want of water is felt only during droughts.

(*b*) Does not arise.

(*c*) Yes. In order to satisfy the member Praja Sabha, the matter will be further enquired into through the Irrigation Department and the result intimated to the member Praja Sabha direct.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The name of the member standing in place of Mr. Beg may be noted down.

NOTE—(Mr. Ghulam Mohammed Sadiq stood in place of Mr. Beg questioner).

276. MOULVI MOHAMMAD ABDULLA : (*a*) Is it a fact that among the Ministers of the State every Minister is in charge of different departments and he alone is responsible for improving the efficiency of these departments for which he is entitled to receive a big salary?

(*b*) If the answer to (*a*) be in the affirmative, is it a fact that it is difficult for one brain to turn to the different departments?

(*c*) If the answer to (*b*) be in the affirmative, are Government prepare to appoint instead of the Ministers one responsible officer answerable for each department whose pay should not exceed

Rs. 500 with one Chief Minister only?

CAPTAIN KANWAR HIRA SINGH : (*a*) Yes.

(*i*) No. He alone is not responsible.

(*ii*) Reply to (*a*) (*ii*) may be referred to.

(*c*) No. The Government are not prepared to do this.

MOULVI MOHAMMAD ABDULLA : Sir, if they are not solely responsible, why are they paid high salaries?

(No reply was given)

277. MIRZA M. A. BEG : (*a*) Is it a fact that Government are going to remove the buildings at Kadipora street in the Anantnag town?

(*b*) If not, what is the object for which these buildings are being surveyed these days?

(*c*) If the answer be in the affirmative, what are the reasons for removing these buildings and what compensation will be paid to the owners of these buildings?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) No.

(*b*) Government has no information.

(*c*) Does not arise.

278. LALA SHIV NATH NANDA : (*a*) In March-April 1935 session of the Praja Sabha, I stated in question No. 155 that the restriction of Samvat 1942 provided in the State-subject Regulation is very stringent and accordingly in the presence of this Regulation no person can acquire the status of a hereditary subject of the State inspite of his residing in the State for thousands of years as has been referred to by Mr. B. J. Glancy Esquire in his report in the last seven lines on page 7, and therefore it should be amended. In reply to this it was stated on behalf of the Government that if the Praja Sabha Sad Sahib succeeds in winning over the sympathies of the people of the State who are desirous of amending the State-subject definition, the Government will have no objection in amending it?

(*b*) Now that the considerate and intelligent section of the subjects of the State are desirous of amending this Regulation and are realising the stringency of the provision of Samvat 1942, as has been made known to the Government by the resolutions of the Muslim Conference and of the Hindu and Sikh Association. Moreover, the Hindu-Muslim press has also raised a voice in favour of amending the definition of 1942, (*vide* an article in the "Ranbir" published in Jeth, 1992, "The Pasban" dated the 11th Jeth 1992, "Kashmir Times", September 1935, "The Albarq", 25th December 1935, "The Amar", "The Sudershan", "The Martand", "The Tarjuman", etc., and the papers from British India. *viz.*, "The Civil and Military Gazette", "The Tribune", "The Pratap", "The Milap", "The Siasat", "The Rajput

Gazette", etc.)

(c) Under these circumstances, will Government in response to the public voice, appoint a Commission consisting of Rao Bahadur Thakur Kartar Singh Sahib, Rai Bahadur Pandit Anant Ram Sahib, Major-General Rao Bahadur Thakur Janak Singh Sahib and two more, one Hindu and one Muslim, which may, after holding an inquiry and prescribing a time limit, make recommendation for removing the reasonable complaints?

CAPTAIN KANWAR HIRA SINGH : The Government have made their attitude on the point amply clear on several occasions both in and outside the House. They will be prepared to consider the matter if it is moved by any member in the Praja Sabha either by means of a resolution or a bill and the Praja Sabha accepts such a bill by a clear majority. The question of appointing a commission does not arise.

279. MIRZA M. A. BEG : In the last session in connection with question No. 398 (Q. D. No. 373) of 26th March 1936 the Hon'ble Revenue Minister stated that the orders had been issued to refund the land-revenue that was realised for the land acquired in Pahalgam? Has this land-revenue been actually refunded to the zamindars?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : Arrangements for refund are in progress. Refund bill has been prepared and payment will be made after it is duly pre-audited by Accountant General.

280. LALA SHIV NATH NANDA : Is it a fact that in the present days of civilization, it is necessary from the point of view of public health that like other civilized countries, the people of this State may avail themselves of Medical aid from properly qualified medical men? Is it a fact that Colonel Abdul Rahman, Member from Udhampur, clearly explained in the last Srinagar Session of the Praja Sabha as to how unqualified Doctors, Hakims and Vaids are laying hands on the life and property of the poor subjects?

THE HON'BLE MR. WAJAHAT HUSSAIN : Properly qualified medical men are available. The State employs 23 Assistant Surgeons and 95 Sub-Assistant Surgeons in its Civil Medical Department.

LALA SHIV NATH NANDA : The last portion of my question has been omitted, and the Hon'ble Home Minister also has given no reply. My question is.....(The member reads the question).

THE HON'BLE MR. WAJAHAT HUSSAIN : I am sorry it has been replied. A similar bill has been sent by Mian Qurban Ahmed. It will be considered.

281. MOULVI MOHAMMAD ABDULLA : (a) Is it a fact that in making the appointment of a Zaildar preference is given to the Raj-

put candidate?

(*b*) If the answer to (*a*) be in the affirmative, why should preference be given to a Rajput over a candidate from the majority class?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) No.

(*b*) Does not arise.

282. MIRZA M. A. BEG : (*a*) Did the zamindars of Karewa Rampore, Anantnag submit an application to the Hon'ble Home Minister on the Chet 1992 stating that the allegation of making holes in the Martand Canal made against them was unfounded?

(*b*) If the answer be in the affirmative, what action the Hon'ble Home Minister has taken on their application?

(*c*) Who were the non-local officers who went on spot for inquiry?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) Yes.

(*b*) On enquiry it transpired that the allegation against the zamindars was true. They were given an opportunity to establish their innocence before the Divisional Engineer, but failed to do so. Nor did they file any appeal to Governor on Divisional Engineer's orders.

(*c*) No one.

MIAN AHMED YAR (for Mr. Beg.) : Can the burden of proof be thrown upon the accused?

THE HON'BLE MR. WAJAHAT HUSSAIN : He has been asked to put in his defence.

283. MOULVI MOHAMMAD ABDULLA : (*a*) Is it a fact that when due to the high prices of grains the zamindars were better off, they were supplied with trees at reduced rates by the Forest Department and now when due to fall in prices their position has become worse, the Forest Department has put up the prices of trees?

(*b*) If the answer to (*a*) be in the affirmative, do Government keep in view the welfare of the zamindars?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) So far as concessionists residing within 3 miles of the Demarcated Forests are concerned, the new rates involve no change in the price of trees upto 3'-6" diameter. It is only in the case of zamindars residing beyond 3 miles upto 5 miles limit that new rates apply. The rates payable by zamindars living outside the 3 miles limit have always been the same as paid by other residents of the State excluding concessionists.

(*b*) Yes.

284. PANDIT AMAR NATH KAK : Will the Hon'ble Finance Minister be pleased to state whether any public parks for women were opened in the year 1992-93 in the densely populated parts of Srinagar as was stated in the Praja Sabha? If not, will the Government open such parks in near future?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI :

Proceedings regarding acquisition of land for 3 Parks in the city are going on in the Court of the Collector. Possession of the land has not so far been given by the Collector. Parks will be opened as soon as possession is taken.

285. SARDAR FATEH MOHAMMAD KHAN : (*a*) Will the Poonch authorities please state as to what is the age, period of service and the educational qualifications of the present Superintendent of Customs? Has he received the proper training for Customs and Excise?

(*b*) Is it a fact that Khawaja Saif-ud-Din, B. A., the present Deputy Superintendent, Jail has received training for customs in Jammu and Kashmir State?

(*c*) If it appears from the answer to part (*a*) that the present Suprintendent Customs, in view of his age and the period of service, is fit for retirement, will the Poonch authorities retire him and do justice by giving that post to Khawaja Saif-ud-Din, B. A., who is trained and who deserves this?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) The present age of the Superintendent of Customs is about 48 years, and total period of qualifying service is 27 years 8 months. He has not received training for Customs work, but being an officer of experience he is discharging his duties as Superintendent of Customs and Excise satisfactorily.

(*b*) Yes.

(*c*) In view of his age etc. the question of the retirement of the present Superintendent of Customs is premature.

286. MIRZA M. A. BEG : Will the Hon'ble Minister for Co-operation answer the following questions :—

(*a*) Has the Co-operation Poultry Society Srinagar been dissolved?

(*b*) If the answer be in the affirmative, what was the balance-sheet of the society at the time of its dissolution?

(*c*) What payment was made to the Co-operative Credit Societies which had purchased its shares?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : (*a*) Yes.

(*b*) The banance-sheet is given below :—

Assets.				Liabilities.			
	Rs.	a.	p.		Rs.	a.	p.
Cash in hand ...	113	11	9	Share Capital ...	1,210	0	0
Deposit in Central Bank ...	107	1	0	Loan due to Audit Fund ...	60	9	6
Cost of eggs recoverable ...	37	1	$7\frac{1}{2}$				
	257	14	$4\frac{1}{2}$				
Loss =	1,012	11	$1\frac{1}{2}$				
	1,270	9	6		1,270	9	6

(*c*) It shall be settled by the Liquidator.

287. SARDAR FATEH MOHAMMAD KHAN : (*a*) Is it a fact that Babu Mohammad Akbar Khan who is trained in electrical work only has been transferred by the Poonch authorities to Co-operative Societies Department as Sub-Inspector?

(*b*) Is this also a fact that Babu Mohammad Akbar Khan has submitted several applications, requesting that either he may be sent back to the Electrical Department or may be re-transferred to the Judicial Department on some post even though it may be of less salary?

(*c*) Is this also a fact that Babu Mohammad Akbar Khan is on leave without pay, because he got tired of the improper treatment by the department, and his request was not acceded to?

(*d*) If the answer to the above parts be in the affirmative, will the Poonch authorities please state as to how far his this legitimate and urgent request has been taken into consideration? If not, why?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Due to Mohammad Akbar's post in the Electrical Department having been brought under reduction, he was provided in the Co-operative Department as Sub-Inspector on equal pay.

(*b*) Yes.

(*c*) M. Mohammad Akbar is on leave without pay for private reasons and not at all for reasons mentioned in the question.

(*d*) In view of the above this question does not arise. However his request for transfer to some other Department will be considered when this is found feasible.

288. MIRZA M. A. BEG : Will the Minister concerned please state as to what is the number of Government paid auditors and Sub-Inspectors of the Co-operative Societies, and in what proportion has this been fixed in the two provinces of Jammu and Kashmir?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : There are no Government paid auditors. The number of Government paid Sub-Inspectors is 26 of which 4 Sub-Inspectors are put on Consolidation work (2 in Kashmir Province and 2 in Jammu Province), one Sub-Inspector is put on liquidation work and he works partly in Jammu and partly in Kashmir. Of the remaining 21 Sub-Inspectors 7 are posted in Kashmir and 14 in Jammu Province. No proportion is fixed for the two Provinces separately and the postings are made as circumstances require.

289. LALA SHIV NATH NANDA : Will the Hon'ble Revenue Minister please place before the House the following figures regarding the lands owned and possessed by agricultural and non-

agricultural classes in Tehsil Rajouri, District Reasi :—

(*a*) 1. The total area of the land belonging to non-agriculturists?

2. The full amount of land-revenue paid by them?

3. The number of Wand-dars, Lambardars and Zaildars?

(*b*) 1. The total area of land belonging to agriculturists?

2. The full amount of land-revenue paid by them?

3. The number of Wand-dars, Lambardars and Zaildars.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : A. (*i*) 20,311 acres in proprietary right and 12,274 acres as occupancy tenants.

(*ii*) Rs. 29,304 land-revenue and Rs. 16,503 as rent.

(*iii*) Three Zaildars, 56 Lambardars and 5,057 Wand-dars and 5,068 occupancy tenants.

B. (*i*) 1,41,025 acres in proprietary right and 68,658 acres as occupancy tenants.

(*ii*) Rs. 1,12,083 as land-revenue and Rs. 48,702 as rent.

(*iii*) Fifteen Zaildars, 354 Lambardars and 11,997 Wand-dars and 24,341 occupancy tenants.

290. PANDIT AMAR NATH KAK : Will the Hon'ble Prime Minister be pleased to state :—

(*a*) Whether a dispute existed about the right of way at Sahyar, Srinagar, when breach of peace was apprehended on account of the intended blockade of the way by Mohammadans?

(*b*) Whether this dispute was enquired into by a Magistrate and whether orders were passed purporting to restrain Muslims from blocking the way?

(*c*) Whether after such orders of restraint given by a competent Magistrate the Muslims of the locality constructed a wall there in defiance of the orders passed by the Magistrate and blocked the way? If so, when?

(*d*) What action has since then been taken for removing the wall and prosecuting the persons who have defied the orders passed by the Magistrate?

(*e*) If no effective measures for removing the wall and prosecuting the offenders have been taken so far, will the Government take such measures in future?

CAPTAIN KANWAR HIRA SINGH : (*a*) Yes.

(*b*) The dispute was enquired into by a Migistrate who ordered that neither community had exclusive rights over the plot.

(*c*) The Mohammadans blocked the entrance to this plot in the month of Har 1993.

(*d*) It was found that the orders passed by the Magistrate were not in the correct form and had therefore no legal force.

(*e*) The matter is under the consideration of Government.

291. LALA HANS RAJ : (*a*) Are Government aware that after spending thousands of rupees on the works of laying water pipes at Samba and Raipur, the work is still incomplete?

(*b*) If the answer be in the affirmative, when will it be completed and thus the difficulty of the people removed?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Water pipes have not so far been laid at Samba and Raipur through the Revenue Department.

(*b*) Does not arise.

292. PANDIT AMAR NATH KAK : Will the Hon'ble Prime Minister be pleased to state :—

(*a*) Whether a plot of land belonging to some Hindus at Chaplan Koocha near Gankhan-Srinagar has been enclosed by Muslims?

(*b*) Whether the Police Department or Government have taken any steps so far for removing the enclosure set up by Muslims and restoring the possession to Hindus?

CAPTAIN KANWAR HIRA SINGH : (*a*) Yes.

(*b*) It is not the business of the Police Department or of the Government to intervene in such private disputes of a civil nature. Is it, however, understood that the aggrieved party has filed a suit in a court of law and the matter is subjudice.

293. MIAN QURBAN AHMED : (*a*) Is it a fact that chiselled stone has been used outside the construction of the court building at Muzaffarabad while unchiselled stone has been used inside?

(*b*) Has the cost of carrying the load of earth inspite of the fact that the soil dug out has been used at the very place, been included in the expenditure after making fictitious measurements in respect of the work of digging the earth or not? If it has been included, why?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) Yes.

(*b*) No.

294. MIAN QURBAN AHMED : Will the Hon'ble Revenue Minister please state as to how many Muslim zamindars of Kathua proper applied for purchasing land and what became of their applications?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : No Muslim zamindar of Kathua proper applied for purchasing land.

295. PANDIT AMAR NATH KAK : Will the Hon'ble Prime Minister be pleased to state :—

(*a*) Whether during the last few months complaints have been received by the Government to the effect that Muslims are taking possession of lands in the possession or enjoyment of Hindus at different places or that the Muslims are putting forth claims to the places in the possession and occupation of Hindus for sufficient-

ly long time?

(*b*) If so, what effective steps have the Government taken so far to prevent Muslims from doing so and for prosecuting the offenders?

CAPTAIN KANWAR HIRA SINGH : (*a*) A number of such cases came to the notice of the Government in which both the communities persisted in their claims to the disputed places. While leaving the parties free to have recourse to any legal action for defending or establishing their respective claims in Judicial courts, the Government has been and is alive to its duty of maintaining peace and will continue to make efforts towards bringing about a peaceful settlement of the dispute by mutual agreement.

PANDIT JIA LAL : Hear, hear !

296. MIAN AHMED YAR : Will Government please state :—

(*a*) What was the number of Muslim and non-Muslim Sub-Divisional Officers, Overseers and Sub-Overseers in the Public Works Department of the State (Bark Mastery) in the time of Mr. Lothennier the State Engineer?

(*b*) What was the number of Muslim and non-Muslim Assistant Engineers, Overseers and Sub-Overseers in the State in October 1931?

(*c*) What was the number of Muslim and non-Muslim Assistant Engineers, Overseers and Sub-Overseers in the State in July 1936 and since how long no Muslim Divisional Engineer or Sub-Assistant Engineer has been appointed in the Domel Lower Sub-Division and why?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*)

	Muslims.	Non-Muslims.
Assistant Engineers		
Supervisors		11
Overseers		5
Sub-overseers ...	3	5
(b) ...	8	49
Assistant Engineers		
Supervisors ...	1	15
Overseers		6
Sub-overseers ...	1	9
(c) ...	3	70
Assistant Engineers		
Supervisors ...	2	9
Overseers		4
Sub-overseers ...	2	8
,, ...	7	70

No Muslim was appointed as Divisional Engineer or Assistant Engineer at Baramulla or Domel as no Muslim Engineer was available.

297. KHAWAJA ALI MOHAMMAD : (*a*) Will Government please state as to why the Shahi Mosque of Kotli has not been restored? What are the grounds for withholding the restoration? How long will it continue to be so?

(*b*) Does this act of the Government not amount to interference with religion and insult to Islam?

CAPTAIN KANWAR HIRA SINGH : (*a*) The member is referred to the answer to Q. D. No. 71 given on 5th October 1936.

(*b*) Any action taken by Government to maintain peace and goodwill cannot be regarded as an insult to Islam which in itself stands for peace and amity.

(Cheers from the Conference Party)

298. PANDIT AMAR NATH KAK : Will the Hon'ble Home Minister be pleased to state :—

(*a*) Whether the pays of teachers have been raised as recommended in the Glancy Commission?

(*b*) If it has not been done, what are the reasons for not doing so inspite of the fact that from the very inception of the Praja Sabha in almost every session this question was put and answered by stating that their pays would be raised at an early date?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) No.

(*b*) The question of revision of pay of all the services has to be dealt with together, and the Government does not intend taking with each service separately.

299. MIAN AHMED YAR : Will the Hon'ble Home Minister please state :—

(*a*) How many gazetted and non-gazetted posts are there in the clerical line of the whole P. W. D.?

(*b*) Out of such gazetted posts how many are held by Muslims and how many by non-Muslims?

(*c*) How many non-gazetted posts are occupied by Muslims and how many by non-Muslims?

(*d*) Out of the menials how many are Muslims and how many non-Muslims?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) There are no gazetted posts in the clerical line of the P. W. D. The number of non-gazetted posts is 140.

(*b*) Does not arise.

(*c*)

Non-Gazetted Posts.

Muslims.	Non-Muslims.
9	131

(*d*) Muslims 36, Non-Muslims 123.

Temporary posts.

Muslims (Seasonal Gauge Readers 12 and 1 peon at Sangam Telegraph office)	...	13
Non-Muslims (Seasonal Gauge Readers)	...	12

300. MIAN QURBAN AHMED : (*a*) Will the Hon'ble Finance Minister please state as to whether the President Srinagar Municipal Committee has purchased any agricultural land at Ganderbal a part of the price of which is still unpaid?

(*b*) Is it also a fact that the names of the alienators of the land are entered in the register of the coolies of the Municipality, but they are exempted from attendance and duty?

(*c*) If the answer to these questions be in the affirmative, the reasons for doing this may be stated?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : (*a*) No.

(*b*) Certainly not.

(*c*) Does not arise.

301. MIAN AHMED YAR : Will Government please state as to how many Muslims have been temporarily appointed during the last five months in the Judicial Department and on what posts ; how many of them will hold their posts for more than two months after the termination of this session of the Praja Sabha and what is their number at present and on what posts they are working?

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM : Ten Muslims have been appointed temporarily in the department during the last 5 months as Munsiffs, clerks, copyists and peons. 5 are expected to continue for more than 2 months even after the termination of the Praja Sabha session.

MIAN AHMED YAR : How many of these ten are Munisiffs posts?

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM : Information has been given to you collectively. You had not asked separately in your question.

302. MIAN AHMED YAR : Will Government please state how many Muslims have been appointed temporarily in the Revenue Department during the last five months and on what posts ; how many of them will hold their posts for more than two months after the termination of this session of the Praja Sabha and what will be their posts ; and what is their number at present and on what posts

they are working?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM :

Name of Department.	Total No of Muslims appointed temporarily during the last 5 months.	Post on which appointed.	No. of Muslims holding their present posts for more than 2 months *i. e.* after the termination of Praja Sabha Session.	No. and posts of Muslims at present.
1. Civil Veterinary Department.	5	2 Syces. 3 Peons	1 Syce.	2 Syces. 1 Peon.
2. Jammu Province ...	43	3 Clerks. 3 Girdawars. 12 Patwaris. 6 Moharrirs Kahcharai. 11 Wazifa-khwars. 8 Chaprasis.	Their retention will, however, depend upon the fate of permanent incumbents who are at present under suspension.	3 Girdawars. 8 Patwaris. 4 Wazifa-khwars.
3. Director Land Records	1	1 Clerk.	Nil.	Nil.
4. Agriculture Department	2	1 Overseer. 1 Operator.	1 Overseer. 1 Operator.	1 Overseer. 1 Operator.
5. Kashmir Provinoe ...	26	1 Naib Tehsildar. 4 Patwaris. 4 Clerks. 3 Wazifa-khwars. 13 Peons. 1 Rakha.	4 Patwaris. 5 Menials. 2 Wazifa-khwars. 2 Clerks.	4 Patwaris. 5 Menials. 2 Wazifa-khwars. 2 Clerks.
6. Revenue Secretariat ...	4	4 Clerks.	2 Clerks.	2 Clerks.

303. KHAWAJA ALI MOHAMMAD : (*a*) Will Government please state the number of clerks, telephone operators and signallers in the State Telegraph and Telephone Department? How many amongst them are Muslims?

(*b*) How many Muslims were recruited in connection with the appointments made during the last two years?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) (*i*) Clerks 3 (non-Muslims).

(*ii*) Telephone Operators 19 (non-Muslims).

(*iii*) Signallers including Wireless Operators 51 (9 Muslims and 42 non-Muslims).

(*b*) No new appointments of clerks and telephone operators were made during the last two years. As regards signallers 3 (1 Muslim, 1 Rajput and 1 Hindu) were appointed during 1991-92 and 2 (1 Muslim and 1 Sikh) during 1992-93.

KHAWAJA ALI MOHAMMAD : The reply shows that there is paucity of Muslims in the department. Will this be borne in mind?

THE HON'BLE MR. WAJAHAT HUSSAIN : That is your view.

304. MIAN AHMED YAR : Will Government please state as to how many Muslims have been appointed temporarily during the last five months in the Customs Department and on what posts ; how many of them will hold their posts for more than two months after the termination of this session of the Praja Sabha and what is their number at present and on what posts they are working?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI :

Office.	No. of Muslims appointed temporarily during the last five months.	Name of post against which appointed.	Remarks.
Inspector General Customs and Excise' office.	1	Clerk (30-3-75 grade)	The present arrangement will cease on 7th Katik 1993.
Kashmir Province ...	1	Clerk (20-1-35 grade)	
	3	Mahaldars ...	One will continue for two months after this Praja Sabha Session commences.
	6	Guards ...	One is still continuing but will be discharged this month in case the guard in whose leave arrangement he is working does not extend his leave.
Jammu Provinee ..	1	Mahaldar	
	33	Guards ...	Three will continue till Maghar.
Customs Audit Kashmir.	1	Clerk (25-2-55 grade)	
Customs Audit Jammu ...	Nil	Nil.	
Total ...	46		

MIAN AHMED YAR : The information given to me is not in detail. It is very brief. A correct and detailed reply may be given.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : The reply is as desired by you.

MIAN AHMED YAR : (To Chair) Sir, I want a correct reply in detail.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Correct

copy will be supplied to him. I am sorry.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : He wants more details.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : But correct copy was not supplied to him. A copy is always supplied to the member.

305. KHAWAJA ALI MOHAMMAD : (*a*) Is it a fact that the land acquired for the main road from the zamindars of villages Barzala, Haiderpura, etc., of Tehsil Sri Partap Singhpura in the years 1985-86, for which compensation also has been paid by the Government has not so far been shown as such in the Settlement records? If so, what are the reasons therefor and why is land-revenue still charged from the zamindars for the said land?

(*b*) Will Government refund with interest the entire amount realised so far since the year 1985?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Yes. Entries have not been changed so far, as the question of remission of revenue has not been decided yet. The matter has been taken up by the Revenue Department and files are under completion.

(*b*) Refund of revenue will be made as soon as papers are completed under rules.

KHAWAJA ALI MOHAMMAD : The papers have been pending for the last seven years, although steps were taken to pay the compensation. Land-revenue is being realised from the zamindars as usual and they have been paying it for the last seven years.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Payment of compensation was taken up first, but remission of land-revenue was also taken up simultaneously. Papers about remission of revenue are under completion.

MIAN AHMED YAR : Will the land-revenue recovered from these people be refunded soon?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : All right, it will be done soon.

306. MIAN QURBAN AHMED : (*a*) Is it a fact that Jagan Nath Sapru is a head coolie in Ward No. 5, but works with the Tax Inspector in Ward No. 4? Is it also a fact that Pandit Jia Lal has been entrusted with the work of head coolie in place of Mr. Sapru and is it also correct that in the records Jia Lal is shown as a head coolie but he attends to Inspector's private affairs and for this reason he has been appointed as an engine-driver and the post was not even advertised? Is it also correct that Mr. Sapru and Jia Lal are Inspector's relatives?

(*b*) If the answer to the above questions be in the affirmative, what are the reasons for showing carelessness in this behalf?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : (*a*) No. (For all the points)

(*b*) Does not arise.

307. MIAN AHMED YAR : Will Government please state how many Muslims have been appointed temporarily in the Forest Department during the last five months and on what posts; how many of them will hold their posts for more than two months after the termination of this session of the Praja Sabha and what will be their posts; and what is their number at present and and on what posts they are working?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Temporary establishment in the Forest Department may be divided into two main classes. The first consists of those appointments which are continuous throughout the year and the second of those which only last for the season. In the first class, the posts are chiefly of Range Clerks, Chaukidars, Peons, Workshop employees at Baramulla Factory and Boom establishment of Bela Bahadur Shah. Ninety Muslims were appointed to such posts during the last five months

In the second class, the posts are chiefly Kuth Watchers, Closure Watchers Fire Watchers and substitutes for short periods. Under this head 58 Muslims were appointed during the last five months. Most of these posts will probably cease within two months of the coming session of the Praja Sabha since they are dependent on the season.

308. PANDIT AMAR NATH KAK : Will the Hon'ble Home Minister be pleased to state :—

(*a*) Whether arrangements have been made for teaching Hirdi as an alternative Vernacular to Hindu boys in all the primary schools in pursuance of the resolution passed in the last session of the Praja Sabha?

(*b*) If not, what are the reasons for not doing so?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) Eight posts of Hindi teachers for Boys Primary schools have been proposed from Baisakh 1994. These posts will be given to selected Primary schools. Similarly, seven additional teachers for Girls Primary schools have been proposed and of these two will be Hindi teachers. For the future this programme will be repeated every year, subject to the availability of funds, till such time as the necessity of Hindi teachers is felt.

(*b*) The question does not arise.

LALA RAM LAL : Will this resolution affect Poonch also?

THE HON'BLE MR. WAJAHAT HUSSAIN : No.

309. LALA HANS RAJ : (*a*) Is it a fact that the parties to a suit are, in these days, required to write out the summons themselves to the witnesses who are required to be produced through the court and present it for the signature of the Judge and to personally serve the summons on the witnesses and produce them before

the court?

(*b*) If the reply to this be in the affirmative, is it a fact that even under these circumstances *talbana* for serving the process is realised from the parties?

(*c*) In case the answer to part (*a*) and (*b*) be in the affirmative, what justification the courts have in realizing the *talbana* for serving the process?

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM : To obtain accuracy parties are requested to fill up the blanks in printed forms of summonses. If any parties do not desire to do so they are not forced. In British Indian Courts this is the rule.

Summonses are served by process-server but in accordance with the directions of the Chief Justice parties are always warned that it is their duty to see that summonses are duly served and that it will be helpful if they accompany the process-server to point out the witnesses.

(*b*) *Talbana* is necessary to be charged because the process-server goes to the house of the witness to serve him.

(*c*) This question requires no answer.

LALA HANS RAJ : It is wrong, Sir. (Laughter)

My personal experience is that the parties are compelled to do so.

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM : You can table a resolution about it. Nothing can be said in a reply to a supplementary question.

MIAN AHMED YAR : Why is *talbana* not remitted, when parties are made to accompany the process-server to ensure proper service.

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM : They are not forced. It is done for their convenience.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : It is my order that the parties should look to the service of summons.

LALA HANS RAJ : When it is your honour's order, why does the peon not go alone.

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM : This is done because service is not possible otherwise.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : I have told you that this is my order.

LALA HANS RAJ : I beg your pardon, Sir, but would request you to send copies of this order to all courts for compliance.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : All right. It will be done

310. PANDIT AMAR NATH KAK : Will the Hon'ble Revenue Minister be pleased to state :—

(*a*) Whether the Board to be constituted according to the provisions of the Aids to Industries Regulation has been

constituted and whether it has been functioning since the time, the Regulation came into force?

(*b*) If it has not been constituted so far, what are the reasons for it?

(*c*) Will the Government comply with the provisions of this Regulation in regard to constitution and functioning of the Board at an early date?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) The Board referred to is being constituted in this session.

(*b*) Persons from the trade had to be selected before Board could be constituted.

(*c*) Yes.

PANDIT JIA LAL KILAM : Who are the traders, who will be the members of this Board. Will they be outsiders or State-subjects?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : They will be from the State and from this House.

311. KHAWAJA ALI MOHAMMAD : (*a*) Is it a fact that Dr. Balwant Singh made a bid of rupees fifty thousand for the immovable property of Bhagat Radha Kishen Mool Chand and that the court has accepted the doctor's bid?

(*b*) Will Government please state his annual income including his pay?

(*c*) How many times did the said doctor go over to Europe for further education?

(*d*) What would be the rough estimate of travelling expenses for going to Europe and of other expenses there of education, etc.?

(*e*) Will Government please state whether the said doctor can, after deducting his domestic expenses and travelling expenses for going to Europe, save sufficient amount to purchase a property worth half a lac of rupees?

(*f*) Are Government of their own accord, prepared to throw light and explain in detail all these matters or will they appoint a commission to enquire into it? If not, why?

(NOTE.—The question was withdrawn by the member).

312. LALA HANS RAJ : (*a*) Is it a fact that the applications and suits relating to the cognizable offences are entertained in the courts on enclosing therewith a stamp of rupee one?

(*b*) If the reply be in the affirmative, has some amendment been made in the Regulation in question?

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM : (*a*) Applications have to be stamped with the court-fee stamp when the person making the application is not in custody.

(*b*) There has been no amendment of this rule.

LALA HANS RAJ : This too is wrong.

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM :

SRI PRATAP COLLEGE LIBRARY

You may then bring a resolution and move an amendment.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Court-fee is not charged only from persons who are in custody. All others have to pay. Persons in custody cannot purchase stamps and then put in applications.

313. KHAWAJA ALI MOHAMMAD : Are Government aware that during the last session of the Praja Sabha, the Hon'ble President issued an order that no member of the Praja Sabha can call for the division list of votes? Was the order in accordance with the Rules of Business?

CAPTAIN KANWAR HIRA SINGH : The Government is aware. When the President gave such a ruling neither the Primer Minister nor the Council can question it or pass an opinion thereon.

314. *Information promised in reply to question No.* 521 *(Q. D. No.* 485) *asked on the* 30*th March* 1936 *by* :—

LALA SHIV NATH NANDA : Has any arrangement been made to receive water-tax in Jammu at some place in the city?

THE HON'BLE MR. WAJAHAT HUSSAIN : The tax has to be realised by the Department itself. No more suitable place for its collection has been found.

LALA SHIV NATH NANDA : My question is whether any arrangement has been made for recovery of water-tax at any place within the city. I have asked only this much. I had not asked whether any suitable place is available or not.

THE HON'BLE MR. WAJAHAT HUSSAIN : The place, where the office stands at present, is not suitable. There is no place more suitable than Darbargarh.

LALA SHIV NATH NANDA : This was not the reply given to me.

NOTE.—At this stage when reply to the question was over, the members who had walked out the previous day also walked out today, including Lala Hans Raj who did not walk out yesterday.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : (Addressing Lala Hans Raj while he was about to walk out) We find no enthusiasm in your absence.

LALA HANS RAJ : I shall come again, when this is done.

LALA SHIV NATH NANDA : He will say his 'Namaz' there.

315. *Information promised in reply to question No.* 708 (*Q. D. No.* 598) *asked on the 7th April* 1936 *by* :—

HAJI AHMEDULLAH SHAHDAD : (*a*) Will the Hon'ble Judicial Minister be pleased to state whether after the expiry of the date mentioned in the advertisement published by the court of the Chief Judge, Srinagar, Mr. Attal, Session Judge, Kashmir, appointed an old experienced hand who had been posted without granting any travelling allowance in a temporary arrangement in the Sub-Judge's court at Muzaffarabad on the condition that his claims would be

considered on the occurrence of a vacancy and in 1935 when the post of Ahlmad fell vacant in the court of Sub-Registrar, Srinagar a proposal to appoint him was submitted to higher authorities for favour of sanction but the higher authorities appointed sombody else?

(*b*) If so, was it not done against the rules of advertisement? If so, why?

(*c*) When will the above mentioned candidate be appointed and why in view of his ability and the testimonials granted to him by his officers, which are lying in the Sessions Judge's office, have his claims been disregarded?

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM : It is true that prior to the issue of an advertisement a clerk working as a copyist in a temporary arrangement was put in against the vacancy duly advertised by Mr. Attal, Session Judge, but no promise was held out that the temporary hand will be confirmed. The temporary hand is no longer in service and the question of his being made permanent does not arise.

PANDIT LOK NATH SHARMA (State Councillor) : Sir, it is a matter of sincere regret that some of the members have taken it into their heads to walk out when certain important and vital measures affecting the revenues of the State had to be taken into consideration. It would have been most gratifying if they had made some suggestions and the Government also would have benefited by the suggestions made by them and it would have been a matter of opinion whether these suggestions could or could not be carried into effect. Taking into consideration the only point from which it appears certain members have taken into their heads to walk out related to the resolution of Mr. Beg and excepting that nothing has been shown against the conduct of Government or report of the Finance Minister, nothing of the kind, and even then the non-official members who have walked out did not allow that resolution to be put to vote and it had yet to be seen whether that resolution had to go, it had yet to be seen that attitude the other members would have adopted and what attitude the Government might have adopted in the matter. It is always for everybody and the Government also to defend themselves. I can say with confidence and without fear of contradiction that Government attitude has been most commendable and most gratifying to the public in general. Public demands made by certain members from the non-official benches have been acceded to by the Government, their requests granted by the Government and money allotted for different purposes. I will submit for example that last year a strong case was made out for providing money with regard to supplying water in the Kandi Illaqa and the Government very munificantly donated a sum of thirty thousand rupees last year and have now granted another sum of forty thousand rupees

and we hope that this sum will be continued till the difficulty is remedied. It was gratifying to note that in reply to a question of Choudhari Abdulla, an elected member, Hon'ble Revenue Minister stated that much of the money had been spent and spent in digging wells, in repairing tanks and doing all whatever the Government could do in these six months to ameliorate the lot of those people who live in places where water cannot be obtained by other means. A main demand put forward was a road from Batote to Bhadarwah and on a case being made out the Government have in fact made a provision in this year's budget for that road. Taking all points into consideration we find a net work of roads being taken into consideration and their construction and repairing being taken in hand by the Public Works Department. Much mention has been made of it in the report read by the Hon'ble Finance Minister. For instance a road from Akhnoor to Sidhuti and from Nowshehra to Bhimber and many other roads. Apart from that a case was made out that the lower part of the Jammu town does not receive water supply adequately and we find that provision has been made in the budget for supplying water to the lower portion of the Jammu city. As regards Srinagar a complaint was made by Sardar Mal Singh with regard to the water supply in Srinagar and we find another sum devoted for the purpose in the current year's budget. It was requested that corruption was rampant in the Government departments and the Government acceded to the appointment of a Commission to enquire in detail and submit a report with Hon'ble Mr. Justice Abdul Qayoom as President of that Commission. Another case was made out that there is a strong current raging at this time of general depression resulting in general unemployment in the State and we find the Government coming forward with a Commission presided over by Hon'ble Mr. Wajahat Hussain. The Commission begins its sittings and the Liberal party makes a request that the number of non-official members be increased The Government accedes to this request and adds two members, Sardar Hari Singh and Raja Murawat Khan to the list. Instead of expressing gratitude for all these points acceded to by the Government and giving a wholesome criticism on the various aspects of the budget we find an attitude of entire non-coperation excepting the making of a statement that we do not want to cooperate or take part in the State Budget. Why? I will give you reasons plainly. Last year it was complained that the budget is printed in a form which is not intelligible and which it is not easy to follow. This year when the budget is printed in a more detailed form it is easier to follow but still we find that apart from the fact that it is easier to follow still it is difficult to follow for the elected members because they have taken it into their heads to go out. Had they been here in the

House we would have tried to make them understand this budget, we are going to present. We give them a detailed budget and instead of offering a wholesome criticism they walk out. We also find the Government acceding to the popular demand for the constitution of the Panchayats *i. e.* Justice being administered at the very doors of the litigant public, the agriculturists. So much so with regard to the attitude of the Government.

Now I come to certain of the items in the budget on which I would like to offer certain remarks. We find, Sir, that last year a request was made that the recovery of prices on account of medicine supplied from hospitals to the agriculturists be remitted and it was done. But there remained something and that was recovery of the prices from the people living in the cities. This item is shown in the budget with an income of Rs. 4,000 from different hospitals throughout the whole of the State. I think that when we are in such prosperous time as has been depicted to us by the Hon'ble Finance Minister and when the Government spends quite a good deal of money on these beneficent departments, it behoves the Government to do away with the taking of prices from the city people. Rs. 4,000 being a negligible sum as compared to the facilities of the agriculturists I think the city people might also be granted this benefit and it behoves the Government to be beneficent in this respect. We find that as regards Telegraph and Telephone the expenditure is 1,25,587 and the income *i. e.* the receipts amount to 73,285. I would like to submit that Telephone Department can be called a commercial department and the expansion of this department would bring in more money and if the present system of telephones in the Jammu city be replaced by another system as regards battery or automatic system, I think many people will go in for the telephone calls in the business quarters of Jammu and Srinagar and if this is run on business lines there will be more income from this department. One more item with regard to Electricity, I would like to submit and it is for the learned Accountant General to throw light on that matter. Whereas receipts for 1991-92 were 62,135 expenditure was 3,97,333 whereas now the estimates for 1993-94 are six lacs and four thousand for receipts the expenditure has gone high to five lacs and one thousand. I think the learned Accountant General and Hon'ble Home Minister will throw light on this subject, that when we are getting a reduction in receipts why this expenditure should go high when this is a commercial department. Another point which I would like to make out is that as regards the penalty received on account of under-stamped and unstamped documents, the actual receipts show 4,871 and the estimates for 1993-94 are six thousand and we find the Inspector of Stamps drawing a salary of

Rs. 4,141 and his establishment which comes to eight thousand. If the work is entrusted to the Local Audit there can be a saving of eight thousand to the State in this respect. This matter of certain documents being understamped or unstamped can be entrusted to the presiding officers of courts and they may be given absolute power to decide these points I hear that such instructions have been issued in this respect by the Hon'ble Judicial Minister that when there is a difference of opinion on some point between the Stamp Inspector and the Court the Judicial Minister will decide it. There was a reasonable request made by my learned friend Mr. Nanda with regard to the water tax being received in the city of Jammu proper. The situation is that the office of the Water Inspector or I would call him the Superintendent is situated at a distance of a mile and a half from the city and the people have to go down a steep incline in the hot weather to pay the tax. You will find that there is a woman who had to pay, she has to find out the services of another man who would help her to go and pay the tax. There are most of the difficulties which every person has to encounter in paying Government taxes. Sometimes the bill is lost and sometimes a clerk says that the number does not tally and the papers will have to be sent to the Head Office and sometimes some other defect is found, so the people have to resort to the Post Office by paying annas two as money-order commission. This difficulty can be remedied by ordering that the tax may be collected by the Electric Department or Municipality or by some other method or by providing a room in the Electricity Office for the clerk who would receive the tax. Perhaps the reply I would receive from the Home Minister will be that the office of the Superintendent is there and his office cannot be transferred as he has to look after the machinery and the clerk being under him cannot be accommodated at another place but still I would submit that by making some arrangement through the Electric Department that they may receive the tax with their own dues and these dues may be transferred afterwards. I would most humbly submit that in the light of these remarks light may be thrown on this point.

SHEIKH ABDUL HAMID : Hon'ble President ! The attitude adopted for the last five days by the elected members of the Praja Sabha is based on the ground that the salaries paid in the State are excessive and should be reduced. Their second demand is that the funds provided for works of public utility are very insufficient while the salaries are high In other words a major portion of the income raised from the public who earn it with the sweat of their brow is not spent on works of public welfare but on salaries. In this connection Travancore and Mysore have been cited as examples and figures quoted from their budgets.

I should have liked to express my views in the presence of those

members but as they have walked out of the hall, I haven't got the opportunity to do so. They will possibly know my views through the Official Report.

The boundaries of our State meet with the Frontiers of Russia, China and Afghanistan which are free countries. No comparison can therefore be made between this and the Travancore and Mysore States. We have a permanent danger from those countries on the Frontier and can't avoid maintaining a sufficient force for our protection and owing to this huge military expenditure the Government cannot afford to spend much on works of public utility. Travancore and Mysore are so situated that they are immune from the attacks of foreign countries and enemies. They do not therefore stand in need of heavy military expenditure and can spend more on works of public welfare.

The second question is that of the salaries in which connection a comparison has been made between this and the Travancore and Mysore States. As regards this I would like to submit that the present Hon'ble Prime Minister of our State draws a salary of Rs. 4,500 while his actual pay is Rs. 4,000 which shows that he gets only five hundred rupees in excess. The salary of the Hon'ble Home Minister is similarly Rs. 2,250 in British India and in the State he draws Rs. 2,500 that is, only two hundred and fifty rupees in excess of his actual pay.

Lala Sew Nath Nanda : Here they have to pay house-rent and income tax also. The excess is therefore very little.

Sardar Amar Singh : Income tax and house-rent have to be paid there also. Mr. Nanda's objection is not therefore valid. Officers of the State like the Wazir, the Sessions Judge, the Governor etc. whose services are less to the Poonch Ilaqa are paid there one and half times what they get in the State. We too have therefore naturally to pay more to the less officers. We cannot but admit that the conditions prevailing in the State for some time past necessitated the services of more capable men who had to be paid such high salaries according to their capability. Sadi has said :—

Things purchased at cheap prices are bad, while those purchased at high prices are good.

The conditions accordingly changed when these officers came. Agitation came to an end and peace followed. Income increased and loss was avoided. At that time the Ministers or the Council got lower salaries than are paid to them at present, they used to get rent-free houses, State cars, and had State paid servants. They enjoyed many other facilities in addition to these. Their salaries are high at present but they have to pay house-rent, income tax and keep their own cars. No concessions are given to them as was done before. It is not therefore correct to say that the salaries are high. So far as I know, Ministers and less officers

get free houses, State cars and enjoy many other facilities in other States. As such concessions are not given in this State the present salaries should not be considered heavy. Those who come to serve this State have to think of their benefit also. The salaries of the Ministers have not been increased much. A study of the budgets of the Departments of public utility will show that their grants increase proportionately with the increase in the income. It is an evidence of the fact that as the income increases Government does not hesitate in spending more on departments of public welfare.

I would like to remind my learned friends who have walked out of the House and boycotted the budget of Sadi's verse in which he gives two methods of warfare.

یکے پیش خصم اُمدن مردوار — دوم جان بردن اِز کا زار

One is to fight the enemy manfully and the other to run away from the battlefied. My friends have adopted the second method and "have run away with their lives from the field". I cannot but say they ought to have put up a bold front in the House and shown that certain items of the budget require reduction. They should be reduced and the amount so saved spent for other specified purposes. But this being a difficult task required much hard work, which they seem to have avoided and boycotted the budget as usual. It was their duty to guide the Government properly and tell it plainly that such and such department is not needed and that by having a separate officer for such and such department an unnecessary burden is imposed on the treasury and as these officers have comparatively less work, their posts may be amalgamated with a view to make a saving. These friends of mine are the servants of the country and the people and it is their duty to serve the country, as well as the people. It is for this purpose that the public has elected them as their representatives They should therefore make practical proposals in the House, whether their resolutions are accepted or not.

بر رسولان بلاغ باشد و بس

"The duty of the prophets is to convey messages and that is all".

It was their duty to bring their proposals to the notice of the Government. As has already been stated by my friend Pandit Lok Nath Sharma, many of their previous demands have been accepted.--Several of them have been given a practical shape and several others are being given effect to. It is not their duty to run away from the House as they have done. They have taken an oath. They have taken the responsibility of representing the public. It is their duty to submit in the House proposals for the betterment of the country and the people. They are not discharging this duty properly. It is therefore that since yesterday I heard many people say that these friends of mine have adopted this policy only for being successful in the next election and it has otherwise no

meaning. I wish they had stayed in the House and put forth proposals as before The Government would possibly accept their reasonable demands which would do much good. I am of opinion that their non-co-operation is not proper. I certainly agree with them to the extent that there are many unnecessary posts and several others which can be amalgamated and duties entrusted to one man. I would also like to submit that it is the Council or some commission that can see which posts are necessary and which are not so, and which of the Departments can be amalgamated and put under one head of Department. I hope that if an inquiry is made, it will be found that some posts of the Heads of Departments can be reduced. This will result in some saving with which the public demands can be met.

I would like to submit, Sir, that there should be only one scale for various posts in the State. All employees in the same grade should get equal salaries. One officer draws Rs. 1,500 while another officer in the same grade gets six hundred although both are in the provincial service A Wazir Wazarat, who is responsible officer in the district gets two hundred fifty or three hundred and against this a Divisional Engineer gets Rs. 800. The salary of the latter is therefore far in excess of that of the former. May I submit, Sir, that for the administration of the State it is necessary to prepare a scale in which the same salary may be fixed for employees in the same grade.

In the end I would submit, Sir that on studying the budget we find that an attempt has been made to provide funds for departments of public utility as far as possible. This increase has been noticed for the last two years and it is hoped that it will be kept up and the grievances of the public removed. If the State had not to spend so heavy an amount as fifty lakhs on military, it could spend a good deal more on Departments of public utility which would satisfy the members of the Praja Sabha. But as the military expenditure cannot be reduced under the existing circumstances, we have to be silent.

MAJOR-GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : Sir, unfortunately the members of the opposition are not in the House. Nothing can therefore be said about their criticism. My remarks shall therefore be brief.

So far as Audit goes, we find that the budget is balanced which is fortunate for the State. But so far as finance is concerned the case is just the reverse because the budget is for the year in which we have to pass through a stage which will bring us closer to the inauguration of federation. It is not known how far our receipts will be affected by joinig the federation. We find that all the European nations and countries feel the dangers of war. They therefore

store as much of ammunition as possible and realize that they shall have to incur expenditure on this account. It is because of this that I do not consider a balanced budget fortunate for such a big State, with a revenue of two crores and fifty lacs. It is necessary for the State to have an extra grant of at least ten or fifteen lakhs to meet the expenditure on emergencies so that any expenditure that may have to be incurred in the next year may be met from such grant without affecting the previous saving.

With these words I close my speech.

LALA SHIV NATH NANDA : The circumstances attending the walk-out staged by the members yesterday and the day before show that it is not only a protest against the budget but has other objects as well behind it. My learned friend Sardar Budh Singh said that the members would be compelled to walk out if no reduction were made in high salaries I have dealt with this subject at length in my speech. I would now like to submit that we have learnt from the Hon'ble Finance Minister's speech that there is a surplus of Rs. 14,93,805 in the budget. This I submit is due to the efforts of the Hon'ble Finance Minister and other Hon'ble Ministers. A surplus of fifteen and a half lakhs has been shown in the last two years. My friends have stated that there is no special provision for works of public welfare in this budget. If I am not myself wrong, I submit that my friends are in the wrong. On a study of the budgets of the last two years we shall find that the Government has provided comparatively more funds for works of public utility this year. While supporting Sardar Budh Singh my friends used many words which I felt very much and was surprized how the Hon'ble President allowed them to use such words. One of the members whose name I will not mention, said that the resolution moved on the 16th October was a test. This shows that the walk out was in connection with that resolution. Another friend of mine subsequently passed a remark which I do not want to repeat here. Similarly other words for example "sympathy, lack of sympathy, proper treatment and improper treatment" are such as ought not to have been used here. As far as the objections of my friends regarding provisions for works of public utility goes, I would like to state what the Government has done and intends doing in this connection.

Besides the usual expenditure an amount of Rs. 23,51,000 has been provided by the Government in this year's budget for works of public utility :—

		Rs.
1.	Fair weather road for Nowshera to Ihangar.	54,340
2.	Fair weather road from Akhnoor to Sudhnuti ,,,	1,32,100

		Rs.
3.	Motor road from Kathua to Basohli ...	2,40,000
4.	Mirpore-Bhimber road *via* Chappar ...	17,000
5.	Bridge on the Tawi near Rajouri ...	28,000
6.	Enlarging and improving tanks and wells and constructing new ones in the Kandi Illaqa ...	40,000
7.	Metalling the Jammu-Samba road ...	12,000
8.	Remetalling and coaltarring 3 miles and 16 chains of the Banihal road beyond Amar Mahal gate lodge Jammu ...	30,000
9.	Motor road from Batote to Bhadarwah ...	35,000
10.	Ans bridge on Nallah Ans ...	15,000
11.	Zaina Kadal and Habba Kadal bridges ...	50,000
12.	Improvement to water supply Srinagar ...	20,000
13.	Construction of a bridge at Satti ...	20,000
14.	Improvement to water supply Jammu ...	28,000
15.	Tuberculosis Hospital ...	22,217
16.	Zenana Hospital at Mirpore ...	25,052
17.	Boys and girls schools ...	28,092
18.	College of Science and Technology ...	19,619

Funds for agricultural improvements:—

1.	Training of sons of zamindars ...	1,920
2.	Opening of an agricultural farm at Reasi ...	5,760
3.	Construction of sheds for stipendiaries ...	3,600

		Rs.
4.	Purchase of bullocks, implements etc. ...	6,000
5.	Cattle breeding scheme ...	17,000
6.	Purchase of stallions ...	4,500
7.	Opening a new Veterinary Dispensary ...	10,000
8.	Agricultural education to zamindars and training of forest employees ...	17,000
9.	Rural reconstruction work ...	3,600

I am now justified in stating that the Government has spent lakhs of rupees on works of public utility and convenience. The complaint of the members that the Government does not provide for works of public utility and does not satisfy their demands is baseless. The walk-out is uncalled for. The Government always tries to remove the difficulties of the public and is solicitous about helping them. It is prepared to spend money for the subjects and provides lakhs of rupees for their help.

This is the objection of my friends but it is not correct. Their walk-out has no meaning. My learned friend Mr. Kak has not considered it advisable to walk-out because he thought it harmful to do so. It would have been better for them to co-operate with the Government and invite its attention to the necessities of the community they represent. It was not proper for them to walk out in order to intimidate the Government and tell the electorate that they are not afraid of it so that they might elect them again.

I deem it necessary to submit that the other day one of my friends remarked about my speech, on the resolution regarding reduction in salaries that I being a nominated member, was bound to support the Government. Though a nominated member I always speak the truth. I am doing my duty and was not asked by any Hon'ble Minister to speak about the salaries on behalf of the Government. I am acting according to my conscience. As regards the misunderstanding created by my friend about me I would like to submit Sir, that the "Martand" has stated about me that I have been a "Chuppa Rustum", a hero in obscurity. By stating this, the paper only meant to carry on propaganda in its favour. Well Sir the paper has a right to do so for its own benefit.

Mr. Kak has said something about income tax. I too will add a few words and then close my speech. My learned friend has stated that the revenue from income tax was three lakhs last year

and has come down to Rs. 2,50,000 this year It is true that the revenue from income tax is decreasing and will continue to decrease in future also. I therefore request the Government to consider the matter and to abolish the tax. This is a heavy burden on the people. If the Government require three lakhs of rupees, if they want Rs. 2,25,000 for the expenditure on the Praja Sabha, I told them that I would submit a scheme which would bring Rs. 2,25,000 into the treasury. But I am sorry that the Government paid no attention to me. The Hon'ble Minister did not even ask me what the scheme was and whether there is any truth in it or not.

MAJOR-GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : The scheme is about doubling the currency notes.

LALA SHIV NATH NANDA : I cannot say anything at present. When the time will come I will do so or if Hon'ble Minister asks me I shall satisfy him. If an income of rupees two lakhs and a half accrues to the Government, I shall request it to remit the income tax.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : The scheme may be submitted.

LALA SHIV NATH NANDA : The Hon'ble Finance Minister asks me to submit the scheme. I will submit it, but as the tax still stands and is being charged, I would request that it should be remitted.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You cannot get rid of income tax. It is not such a matter.

LALA SHIV NATH NANDA : As you wish, Sir.

My learned friend who always espouses the cause of the clearance of Nalamar is not in the House at present. If he knew that some provision would be made in this year's budget for the clearance of Nalamar I think he would perhaps not have worked out The clearance of Nalamal is essential and funds should therefore be provided for it. As the time is over now, I submit that the budget is well balanced. It has been placed before us in so completely detailed form that everybody can understand it easily. The details of the different items are clear. I thank the Hon'ble Finance Minister for the budget and close my speech.

RAI BAHADUR LALA JAGAT PRASAD, C. I. E. (Accountant General) : Sir, there have been no objections to the budget which I would reply, nor could in my opinion such objections be raised, because the budget was framed with great caution and could by itself meet every objection. I am sure that no objection is possible about the budget. There was, of course, an objection which I thought would be raised in the House namely what steps have been taken by the Government to satisfy the de-

mands, hinted at in the House from time to time during the last two years? I therefore thought that this time a demand would be made for more provision under Industries, Education and Medical. Such objections are always raised and such demands often made. Nor is this in any way improper. As regards this, I would like to remark that the Government is unable to spend as much over these Heads as it would like to do. It is not only due to the paucity of funds but as would be apparent from a study of the Budget, to the fact that the whole grant for a work is not spent on it, when it is actually taken up. This is the main reason for not increasing these grants. It is otherwise the intention of the Government as well as the Praja Sabha to spend larger amounts over these works and to make provision for them in the Budget. If money is to be wasted, it can easily be done, but if it is to be spent properly and economically, it is somewhat difficult to do so. What I mean is that the money provided for any work should be spent in full and in a legitimate manner.

One of the objections is, in brief, that there is no scope in the Budget. This is attributed to Federation. I do not like to say anything about it at present nor is it advisable for me to do so. I will only state that the Federation may bring about a decrease in the income, but there is an equal chance of an increase in it. Whatever the case may be the income of the State will not undergo an abrupt fall. This fact will be borne in mind and we have already made provision for it

You are perhaps aware of the fact that besides the five lakhs of rupees paid for the satisfaction of debt, twenty-five lakhs of rupees have been invested in the form of Securities. An objection has been raised that proper premiums have not been paid on the Securities. I shall refer to this later on.

I shall now reply in detail the chief objections raised by the Sabha. It is for the Sabha to see whether my replies are satisfactory or not.

The first objection is that the deficit has been met by imposing new taxes, but no new tax has been imposed during the last two years. One of the new taxes is the Income Tax. The proceeds of this tax amount to two lakhs and a half in a year. I want to make it clear that it is not by the imposition of new taxes that the Budget has been balanced but rather the expenditure has been economised and the income has increased of itself. Though we have spent a sufficient amount of money on Education and various other items, yet we have a balance with us. The second objection is that the Government keeps all surpluses to itself, that is, it does not spend the surplus amounts on works of public utility and such amounts are spent in increasing the salaries. The Hon'ble Finance Minister's

speech furnishes a reply to it. It shows that the expenditure over Civil Administration has not increased. There has, on the other hand, been an increase in the expenditure over works, in which the Sabha is specially interested and for which demands are made. The increase in the expenditure over Civil Administration is due only to the restoration of the ten per cent. cut. It is the low-paid who have been fully benefited by the restoration of this cut, because the high-paid officers have been made liable to the payment of the Income Tax. Officers with high salaries have derived no benefit from the restoration of the cut, because such officers have to pay income tax equal in amount to the amount of the cut restored.

The question, which has led many members to leave the House, is of salaries. The Sabha should bear it in mind that by paying the Income Tax the big officers have given the Government a chance to decrease their salaries. No big officer or Minister can be exempted from the tax nor can they hope to get any exemption in future. If a further decrease in salaries is considered advisable, it can be made.

There was a member of the Nagpur Council, who was a contractor also. He was always prepared to take contracts for the management of various Departments. I told him that the new Viceroy was coming and that he should submit a tender. A conversation ensued and when it was suggested to him that the word of the Judicial and Land Revenue Departments may also be taken on contract (as this work could be got done free of cost even) he took it to be a joke.

If the salaries of the Ministers and big Officers are reduced there will, no doubt, be an economy in that case, but the expenditure over Medical and Education will also have to be economized, because even a hint from capable officers contributes thousands to the income. Otherwise there is no possibility of any increase in the income. By reducing the salaries of these men, we cannot hope of any increase in the Income, nor will such reduction have any appreciable effect on the financial position of the State. By sanctioning the imposition of income tax they have already reduced their income.

One of the objections was that Provident Fund has also been included in the income but this amount has been included in the debt heads and shown under the same alongwith the local fund. The statement attached to the Budget shows that the balance under debt heads is thirty-two lakhs, while the amount of provident fund is thirty-six lakhs. Thus the balance at the credit of the State, in addition to the Provident Fund, is almost equal to the amount due from it. We have also Securities worth 91 lakhs. This has been mentioned by the Hon'ble Finance Minister in his speech

and is evident from the Budget statement also.

It was also pointed out, by way of objection, that the Securities have been purchased on premium at a high rate. If the amount of interest be kept apart and the Securities sold at the current rate, there will be a profit of Rs. 75,000, which is equal to my four years' pay. It is not therefore correct to say so. In such cases it is the rate of interest that is taken into consideration. Take, for instance, the shares of the Imperial Bank of India. Shares of Rs. 500 are sold at Rs. 1,500. The reason is that the bank pays interest at 12 per cent. I would therefore like to submit that we in purchasing the Securities have gained Rs. 75,000. A gentleman was of opinion that the debt of the State is increasing, but the State has no debt to pay. On the other hand it has a huge amount in the form of Securities. No body should therefore apprehend that the State is in debt and the debt is increasing.

One of the members has stated that as the income from Income Tax is decreasing. the tax should be abolished As regards this, I would like to submit that the original estimate was of three lakhs, but the minimum taxable income at that time was Rs. 1,000, and the ten per cent. cut had also not been restored. The cut has now been restored and the minimum taxable income raised from one to two thousand. There has, therefore, been an increase on the one side and a decrease on the other. The tax is not realized in full at present yet we hope that the income will come to three lakhs. Some are of opinion that this tax will be abolished. If it is done, we shall be personally benefited. The reason why the Government says that the tax should remain is that it is beneficial for the people. If this tax is abolished, the State shall have to impose some other tax on the people in order to make up the deficiency.

It has also been objected that in order to show an increase in the income from Forests all old trees have been cut down which will stop income from this source in future. When some members of the Indian Assembly raised objections regarding the penal settlement, the Government arranged for their visit to the settlement with a view to enable them to see conditions at first hand. I am of opinion that the Sabha-Sads should similarly be deputed to see the administration of Forests and satisfy themselves.

While deforestation is carried on, proposals are simultaneously made for planting new trees. The future is thus kept in view and so there is no loss.

There is, of course, one reason for damage. The truth must be said, for there is no harm in doing so. The zamindars, who are permitted to cut trees, misuse their rights and cause damage. While the Forest Department goes on raising income from the old trees, it also goes on planting new ones, so that the income may not stop in future.

I had an occasion to talk with the Chief Conservator of Forests last year, and I asked him to increase the income from Forests. He told me that he could increase the Forest revenue by five or ten lakhs but he had to keep the future also in view.

The objection about the Customs Department is that the Department has increased the tariff and imposed a burden on the people. This objection also is baseless because the Customs revenue has not increased during the last two years.

One of the members quoted figures from the Travancore Budget in connection with the Education Department. It is necessary to bear every fact in mind when comparing two States. Comparison cannot be restricted to one or two items. This State has to incur heavy expenditure on Military, which is not the case in Travancore, because conditions in that State are different and do not demand such expenditure. Very ordinary expenditure is considered sufficient there. The expenditure over Education is forty-eight lakhs in that State, against nineteen lakhs in this State. The income of the Department is 9 lakhs there, but here it is comparatively less. The Education grant of that State may be double or even more, but we have to see in how much time it has reached this figure. The grant is increased here also every year. New schools are opened and the grant goes on increasing from year to year. After some time it will certainly be equal to that of Travancore State. Even the grant provided at present is not spent properly and any increase in it will only result in waste. It will do more harm than good.

One of the objections about the Budget pertains to Medicines. I think I need not say anything about it. I hope the Hon'ble Home Minister will bear it in mind, because free supply of medicines will not cause much loss.

As Accountant General I accept the objection regarding Telephones and Telegraphs, but I am not aware of the Government point of view. In my opinion the income and expenditure of this Department should balance, but here in the State this Department is not a commercial one. Like others it is an Administrative Department. The income and expenditure of this Department may balance, but it is not necessary that it should be so.

The Government of India was running the Posts and Telegraphs Department on a heavy loss for several years. Though the Department is a commercial one, yet they bore the loss for several years. The study of the Budget will also show that the income and expenditure shown therein include the whole of capital expenditure for the year, but to ascertain profit or loss it is only the interest that is included

There has been an objection about the Electric Department, reply to which will be found in the budget itself. The income of

this Department exceeds the expenditure. As a matter of fact, income for the year 1991-92 was calculated rather higher because arrears, that were outstanding for a long time were recovered during that year. The income decreased subsequently. The salaries of officers have nothing to do with the increase in expenditure. Page 46 of this year's budget shows that the grant for Jammu Water Works has been increased appreciably. The increase is meant for the improvement of water supply and will not be repeated in the next year's budget. It is, not, however, meant for expenditure over the salaries of officers and other establishment.

There has been one objection as to why there is a separate post of Inspector of Stamps. The reason is that the income from this Department is in excess to the expenditure over it. The deficiency in stamps which is made up through this Department meets fully the expenditure over it. The revenue from stamps would fall considerably, if so much attention were not paid to it. It is therefore evident that the separate administration of this Department is highly essential. If the presiding officers of the courts had sufficient time to look to the deficiency of stamps this Department would not be necessary.

One of the objections was that the work can be transacted by amalgamating different Department. The Government always keeps this in view and whenever an opportunity offers itself, it avails of it. It is because of this that the Income Tax Department has been transferred to me and as stated by the Hon'ble Revenue Minister the Land Records and Panchayat Departments have been amalgamated.

One of the members is of the opinion that the salaries of all Heads of Departments should be the same. As regards this, I would like to submit that the nature of the work of different posts is not the same. Salaries vary according to the nature of the work. To take an instance, the Chief Engineer of the Public Works Department has to spend lakhs of rupees and to discharge heavy responsibilities. Similarly the Inspector General of Police has heavy responsibilities. An error on the part of the Medical Officer may result in the loss of lakhs of lives. The Department therefore demands a doctor of great capability.

PANDIT AMAR NATH KAK (Srinagar City North :Hindu) : Sir, if you permit me I would make a submission. Has the Accountant General not been paid an allowance for the Income Tax Department? By how much has his pay been increased?

ACCOUNTANT GENERAL : I am drawing my original pay at present. I have not been given any promotion. There is a personal contract for the future.

PANDIT AMAR NATH KAK : The Accountant General's pay has been increased.

ACCOUNTANT GENERAL : A promise has been made for increasing it. The reasons are quite different and income tax has nothing to do with it If necessary, the reason will be stated.

I have dealt at length with the objections raised by Pandit Amar Nath Kak. The other members are not in the House. Had they been here, I should have replied their objections also. It seems that they have walked out because they found nothing objectionable in the Budget. They should study the Budget carefully.

THE HON BLE MR. WAJAHAT HUSSAIN (Home Minister) : Hon'ble President ! The Accountant general has replied in detail to the criticism of the budget. His replies render it unnecessary for any official member to stand to speak about it. The discussion has not been confined to budget only this year, but many political issues have also been raised. I therefore deem it my duty to deal with the political issues before any discussion about my Department. There are two reasons why some of the members of this House have walked out. The first is that the Government did not consider sympathetically the Food Control Bill, that was introduced in this House. The Sabha is fully aware of the history of the Food Control Bill. It was introduced in the Jammu Sessions. It was with the approval of the House, when all members were present, that it was decided to form a Select Committee to which the bill would be referred. The Select Committee had only one official member namely the Hon'ble Revenue Minister. There were six members, of whom four were elected. The Select Committee therefore contained a majority of those, who have walked out. The names of the four members are :—

1. Pt. Jia Lal Kilam,
2. Kh. Ghulam Mohi-ud-Din Khan,
3. Wazir Ganga Ram, and
4. Kh. Sanaullah Shah.

The Select Committee had a majority of these members and they were free to use their votes as they would. The Committee held meetings and included in the bill all sound provisions, suggested to it and the bill was subsequently put before the House.

The report of the Select Committee was unanimous and no member had dissented, but these very members, who submitted the bill to the House withdrew their words later and refused to accept it.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Except Pandit Jia Lal Kilam.

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : Pandit Jia Lal Kilam alone accepted the bill and I think it is therefore that he walked out afterwards. This is the history of the Food Control Bill, which was before the House and had come

from a Committee, in which there was a majority of elected members.

Perhaps the House remembers that only a few days ago an objection was raised to the powers given to the Staff and it was stated that any Government servant could in their presence take anybody into custody. On this objection being raised in the House, the Government found that the draft bill submitted by them did not contain any such provision. They therefore withdrew the particular clause, but if they had gone by the rules, they could have asserted that it should not be even put to vote.

The Government thinks that as the Praja Sabha has been established by His Highness the Maharaja Bahadur, it should cooperate with the Sabha and act according to its dictates.

The second reason (why the members have walked out) is that of reduction in salaries. The Government had complete sympathy with this resolution, so much so that it had itself appointed a Committee for this purpose. The Committee has not been appointed to-day so that a member might stand and say that it has been appointed to stop political criticism. The Committtee was framed two years back. The first Committee submitted its report to the Government and as the salaries were subject to 10 per cent. cut at that time, it was thought fit not to enforce the report till the cut existed. It is now about a month and a half that the Committee was revived. The papers came to the Ministers but the Committee could not submit its report to the Government because the Praja Sabha session commenced soon after. The Praja Sabha members are not aware of the volume of work the Ministers have to do during these days. The Ministers do not shirk this work. All that I want to say is that they always try to co-operate with the House as far as possible.

I would like to say that there shall be a reduction in salaries. The Government has accepted it and is proceeding accordingly. The next question is of the rate of reduction and the manner in which it will be effected. As regards this I would submit that we cannot hang all by the same rope, cut off their heads and throw them asunder. This cannot be done. The matter shall have to be considered The resolution recommended a reduction in the salaries of officers drawing above five hundred rupees a month, but the Government may reduce salaries above two hundred also. It is not feasible to reduce the salaries of all at once. Such an arbitrary order cannot be passed. These are the two points of criticism, which have been raised in this House and I have replied to both.

Some of the members, who are not in the House at present, have raised a question which pertains to my Department. They

said that they demanded money for the Kandi Illaqa, which the Government promised but did not fulfil the promise afterwards. I have got the proceedings with me, and it is evident from these that when Choudhari Chattar Singh moved the resolution, the Government promised to give ten thousand rupees from the Public Works Department. He objected to it and said that the amount was insufficient. The result was that this amount was raised to twenty thousand and ten thousand were provided from the Sanitation Cess. It was also promised that the grant would be enhanced in future. From a study of this year's budget you will find that a sum of forty thousand rupees has been provided this year. (Cheers). If funds permit, the amount will be increased still more. This shows that the amount rose from ten to twenty thousand. This year it is forty thousand and a still larger amount will be provided next year.

There is another matter which is somewhat funny. It is that of Nalamar. I have got with me a report which gives the estimated cost over Nalamar Scheme, but this would be like playing with water. The Divisional Engineer's report is with me. There are three schemes each costing sixty thousand rupees. This is the rough estimate, which will be taken into consideration when completed. The work will then be taken up.

The third question is that the Jaganun Bridge which has not been constructed. The fact is that two big officers—the Governor of Jammu and the Divisional Engineer of Udhampur—were deputed for inspection on spot. The Governor's report is with me. He states that he has inspected the bridge and the road, and found them in a condition which renders it inexpedient to construct the bridge at the place, where we are being compelled to do so. He is, however, of opinion that a bridge should be constructed on Tawi Nallah, and the Jammu road on the other side of it should be extended to Jaganun. This shows that it is necessary to consider the matter before spending lakhs of rupees on the road and the bridge. My submission is that the Government does not sleep over its promises but take all proposals into consideration.

The Hon'ble Revenue Minister was told to-day that the Government had promised to reduce by 50 per cent. the land-revenue of all villages adjoining the hunting-grounds. I was in the House when this resolution was discussed. The resolution was that the land-revenue of villages, which are damaged because of the rakhs, should be reduced by 50 per cent. and not of those villages which are simply adjacent to hunting-grounds. It is stated to-day that the Government promised to reduce by 50 per cent. the land-revenue of villages, adjoining the hunting grounds, irrespective of the fact whether such villages suffer any damage or not. No responsible Government would do it nor is ever prepared to do so.

The fourth objection pertains to the Electric rates. Last year a demand was made by the House for a reduction in the said rates but the resolution was lost and so it was not done. To reduce electric rates is to sacrifice the interest of 35 lakhs, the whole population of the State, for the convenience of 19 thousand men, who consume the electric power. It would mean a heavy burden for them. This is not my personal opinion but the opinion of the Government. We do not, therefore, agree to it.

There have been some speeches to-day and it is my duty to reply to the points raised about the portfolios under me, though the Accountant General has replied many questions about my Department.

Pandit Lok Nath Sharma's first objection relates to medicines. He said that the income from the sale of medicines in the Jammu, Srinagar and Mirpur Hospitals is four thousand rupees. As this is a very small sum, it would be better to give medicines free in these hospitals. I assure him that the Government will consider the matter and pass proper orders.

The second point raised by him is that the expenditure over Telegraphs and Telephones exceeds the income. The Accountant General has already said something about it. Pandit Lok Nath said that the income may be increased by opening a big exchange at Jammu, so that private individuals may be able to use telephones easily and the Government may recover fees from them. Provision was made in the budget for this purpose, but owing to want of funds this had to be postponed.

The third point pertains to the Electric Department. It has been stated that the expenditure of this Department is excessive. The Pandit Sahib has seen the estimates only and not the actuals. The expenditure for the year 1991-92 was four lakhs. while the estimate for 1992-93 was Rs. 4;88,000. By comparing both, we find that the expenditure has not been heavy in 1991. It was less than the actuals for the previous year. Apart from that one lakh of rupees is, as stated by the Accountant General, spent every year on the renewal of machinery. The machinery at Mahora is much worn-out and shall, gradually, have to be renewed. We require money for it this year The fourth point raised by Pandit Lok Nath Sharma is that the Jammu Water Works Department stands at a great distance from the city. I am not prepared to accept the statement. I am of opinion that it is not distant from the city. I shall, however, consider the matter and try to shift the Water Tax Office to the Electrical Engineer's Office.

The remaining questions, which have been raised by Sheikh Abdul Hamid, have been replied by the Accountant General in such a manner that I do not like to say anything more about them. The Accountant General has assured the House that the financial con-

dition of the State is sound. The Government has an investment of 91 lakhs. The other item namely, the treasury balance is kept in tact. This must amount to fifty lakhs at least. So we have one crore and forty one lakhs in hand at present, and the income of the State is Rs. 2,43,00,000. It is my opinion, and I hope the House agrees with me, that the financial condition of the State is comparatively sound now. Would God, it could improve still more.

The House then adjourned till Wednesday, the 14th of October 1936.

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JAMMU AND KASHMIR PRAJA SABHA.

Wednesday, the $\frac{\textit{14th October 1936.}}{\textit{29th Assuj 1993.}}$

The Praja Sabha met in the Praja Sabha Chambers at Rajgarh Palaces at Eleven of the Clock. Mr. President (The Hon'ble Sir Barjor Dalal Kt.) in the Chair.

QUESTIONS AND ANSWERS

316. SARDAR BUDH SINGH (Mirpur-Poonch :Sikh) : (*a*) Is it a fact that for every officer and Government employee a period of stay at each place is fixed and that it is three years and that after this period he must be transferred?

(*b*) If the answer be in the affirmative, why are Government servants retained at a place for five, six and eight years together when many officers do not even like it and all the more when the stay of corrupt and vicious servants at a station for a long time means a pest for the public of the place?

THE HON'BLE COLONEL E. J. D. COLVIN (Prime Minister) : (*a*) The member is referred to answers to parts (a) of Q. D. Nos. 563 and 422 asked in Jammu session of 1935 and 1936 respectively.

(*b*) Reply to part (*a*) above may be referred to. If the member however quotes instances in which officers have been allowed to remain at one place at a stretch for 5 to 8 years without sufficient reason enquiry will be made into the matter.

SARDAR BUCH SINGH : The previous replies referred to in the reply may be read out. It was decided in the last session that such answers will be read out in the House in future.

THE HON'BLE COLONEL E. J. D. COLVIN : I have got the answer with me in English.

SARDAR BUDH SINGH : One more question. Is there no such record with the Government to show as to since when and for what period an officer is posted at a particular place?

MAJOR-GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : There is a record like that.

SARDAR BUDH SINGH : Are Government aware that many officers are posted at the same place for many years and that they are corrupt and a nuisance to the people but inspite of all that they are not transferred from there.

CAPTAIN KANWAR HIRA SINGH (On behalf of the Hon'ble Prime Minister) : We get no such information from the records.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : It has been stated in reply that he has no information . If you have any such information concerning an officer, you should send that and it will be considered.

CAPTAIN KANWAR HIRA SINGH : Yes, if sound reasons will be given, it will certainly be considered.

SARDAR BUDH SINGH : I want to know as to why this accepted principle of transferring after three years is not followed.

THE HON'BLE COLONEL E. J. D. COLVIN (Prime Minister) : If he will see the answer referred to, he will come to know about it.

SARDAR BUDH SINGH : Well, then the reply may be read out.

NOTE.—The Hon'ble Prime Minister then read out the answer from the printed record of the Jammu session 1935.

317. MOULVI MOHAMMAD ABDULLA (Shah Hamdan Srinagar City : Muslim) : (*a*) Is it a fact that for the patients of far off places there are travelling dispensaries and the programme of the touring doctors has been laid down?

(*b*) If the answer to (*a*) be in the affirmative, is it a fact that in Illaqa Narahwa, Tehsil Kulgam there are nearly forty villages which have a population of 25,000 souls where there is no high-road or bridges and hence in this Illaqa also the Government have provided touring dispensaries?

(*c*) If the answer to (*b*) be in the affirmative, is it a fact :—

(*i*) That Pandit Nil Kantha doctor did not visit this Illaqa nor any other doctor visited it during the last four years ;

(*ii*) That doctor Ghulam Mohi-ud-Din toured through this Illaqa only once ; and

(*iii*) That doctor Nil Kantha stayed at Wanpo where there is a population of Pandits and from where the Anantnag hospital is only two miles away or stayed at Mirhama from where the Kulgam Hospital is only three miles away?

THE HON'BLE MR. WAJAHAT HUSSAIN (Home Minister) : (*a*) Yes.

(*b*) and (*c*) Narahwa was not visited this year by the Assistant Surgeon Travelling Dispensary, but other portions of Kulgam Tehsil as shown in the programme of Kulgam given below :—

Kulgam Tehsil.

Bijbehara Halt from	...	22nd Jeth 1993 to 29th Jeth 1993.
Bijbehara to Mirhama	...	30th Jeth 1993.
Halt Mirhama	...	31st Jeth to 3rd Har 1993.
Mirhama to Dubjan	...	4th Har 1993.
Halt Dubjan	...	5th Har to 10th Har 1993.
Dubjan to Harpura	...	11th Har.
Harpura to Rishinagar	...	12th Har.

Halt Rishinagar ... 13th Har to 18th Har.
Rishinagar to Vanpoh... 19th Har.
Halt Vanpoh ... 20th Har to 26th Har.
N.B.—In all cases both days are inclusive.

(*c*) (*ii*) Drs Ghulam Mohy-ud-Din and Lambodar Koul visited this illaqa.

(*c*) (*iii*) He stayed at Vanpoh and Mirhama treating 1,360 and 1,134 patients respectively, 21 operations were performed in Vanpoh and 20 in Mirhama. Out of 1,360 treated in Vanpoh 80 were Hindus and the rest 1,280 Mohammedans and out of 21 operations only one was Hindu and 20 Mohammedans.

MOULVI MOHAMMED ABDULLA : My question was about 40 villages of Illaqa Narwara. The population of these villages is nearly 25,000. Has any Doctor ever toured this Illaqa also. Is the reply to this in the negative?

THE HON'BLE MR. WAJAHAT HUSSAIN : This place has not been visited by any doctor this year.

318. LALA RAM LAL (Poonch :Hindu) : (*a*) Is it a fact that the total number of employees in the Poonch Education Department is 204, out of which only 69 are Hindus and Sikhs?

(*b*) If the answer to (*a*) be in the affirmative, it may please be stated as to whether this number of the Hindu and Muslim employees is in accordance with the recommendations of Glancy Commission? If not, will the recruitment of the Muslims in the Education Department be stopped until the number of the Hindu employees in this Department is made up? If not, the reasons for it may please be stated?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) The total number of employees in the Poonch Education Department is 203 out of whom 71 are non-Muslims.

(*b*) The member Praja Sabha is referred to reply to parts (*b*) and (*c*) of Q. D. No. 212.

LALA RAM LAL : I have not received the copy of the reply to Q. D. No. 212. Either I should have been supplied with the copy of the same or else the reply may be read out to me.

WAZIR FEROZ CHAND (Wazir Poonch) : I have got the reply with me. I will read it out to you.

NOTE.—Wazir Feroz Chand read out the reply already given to parts (*b*) and (*c*) of Q. D. No. 212 S. No. 267 on 13th October 1936.

LALA RAM LAL : My question relates to the Education Department and not the Police Department.

WAZIR FEROZ CHAND : The rule is the same for all.

LALA RAM LAL : If this is the intention I want to know whether the recruitment of the Muslims in the Education Department will be stopped so long as the deficiency of the Hindu representation therein has not been made good?

WAZIR FFROZ CHAND : No, this can not be done.

319. SARDAR BUDH SINGH (Mirpur-Poonch :Sikh) : (*a*) Is it a fact that executive and Judicial powers are exercised by the same officers and that the Revenue officers and others exercise both these powers?

(*b*) If the answer to the above be in the affirmative, is it not equitable to keep both these powers in separate hands especially in the present circumstances when there is a separate Judicial officer at every important place?

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM : Revenue officers do exercise both executive and Judicial powers.

(*b*) Unless there is a large amount of expenditure dis-proportionate to the advantage gained, it is not possible for Judicial work to be done only by Judicial and non-executive officers.

SARDAR BUDH SINGH : Is it not essential for the sake of public interests and for maintaining the dignity of law and justice that an expenditure may be incurred?

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM : What we have to see is as to how much will be the benefit out of it.

SARDAR BUDH SINGH : If one were to spend one rupee to get justice worth - '2/- in return, one would consider it to be a profit of lacs.

NOTE.—No replywas given.

SARDAR BUDH SINGH : Is it necessary to invest Judicial powers to executive officers at places *e. g.* Jammu, Mirpur, Kishtwar, Srinagar, Bhadarwah etc. where already there are no Judicial officers?

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM : Judicial officers have greater amount of work. However the Hon'ble Chief Justice is making an enquiry regarding this matter and he is thinking, wherever possible, only Judicial officers may exercise judicial powers.

SARDAR BULH SINGH : Are Government aware that the executive officers are exercising judicial powers improperly.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Yes, yes, but what should be done.

320. LALA RAM LAL : (*a*) Is it a fact that the Poonch Sanskrit Pathshala is affiliated to the Punjab University?

(*b*) If the answer to this question be in the affirmative, are the Poonch authorities prepared to award scholarships to the students of the Pathshala also? If not, the reasons for it may please be stated?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) No.

(*b*) Does not arise.

321. SARDAR BUDH SINGH : (*a*) Has any responsible officer

Wazir-i-Wazarat, Governor, Minister or Director Medical Services enquired by having made a tour through the hilly and snowy Illaqas of Tehsils Ramnagar, Bhadarwah, Kishtwar etc., as to how far is syphilis spreading among the zamindars and has now developed into leprosy?

(*b*) Have these Government Officers prepared any such list of patients as may show how many people and at what places have been suffering from syphilis and whether any steps have been taken for their treatment and recuperation?

(*c*) If the answer be in the negative, what are the reasons and is it not incumbent on the Government to take steps to save the precious life of the Subjects of His Highness the Maharaja Bahadur when in those illaqas where leprosy is spreading there is not a hospital even, nor is there any arrangement for indigenous treatment?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) A survey of Ramnagar Illaqa was conducted by Dr. Mela Ram Chhabra, Assistant Surgeon to find out the incidence of venereal diseases in that illaqa. Syphilis and leprosy are separate diseases.

(*b*) A scheme has been prepared and is under consideration.

(*c*) Does not arise.

SARDAR BUDH SINGH : Has this Doctor submitted his report to the Government after his tour?

THE HON'BLE MR. WAJAHAT HUSSAIN : Yes.

SARDAR BUDH SINGH : What action was taken on this report?

THE HON'BLE MR. WAJAHAT HUSSAIN : This has been stated in reply to part (*b*) that a scheme has been prepared and the same is under consideration.

SARDAR BUDH SINGH : When so many speeches have been made and questions etc. asked regarding the havoc wrought by syphilis and leprosy in that Illaqa, why is it then that no hospital has been opened as yet in that illaqa so that people suffering from these diseases may be treated there? These diseases are causing great loss of life there.

THE HON'BLE MR. WAJAHAT HUSSAIN : A travelling dispensary has been established especially for venereal diseases so that it may tour in the Illaqa of Ramnagar, Bhadarwah and Kishtwar etc. This too is a hospital.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Dispensary and hospital is one and the same thing.

SARDAR BUDH SINGH : Can lepers be admitted as indoor patients in the dispensary? This dispensary remains always on tour. Can you tell me as to when will this scheme be completed? Will this scheme be given effect to at the time when all persons become victims of leprosy? What I want to ask is whether you will open a hospital there or not?

THE HON'BLE MR. WAJAHAT HUSSAIN : There should be no misunderstanding about it. According to the opinion of the doctor, syphilis and leprosy are two quite different diseases.

KHAWAJA GHULAM MOHAMMED SADIQ : Does it mean that the doctors think it advisable that these people may remain suffering from syphilis?

SARDAR BUDH SINGH : We should be informed whether the hospital will be opened there or not, and will that scheme be introduced?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : He says that the scheme has been prepared and it is being considered. You will receive information about that.

322. LALA RAM LAL : (*a*) It may please be stated as to whether loss of human lives were caused in 1992-93 on account of the floods in the Nullah Batar?

(*b*) If the answer to the above be in the affirmative, it may please be stated as to how many lives were lost and are the Poonch authorities prepared to construct a pacca bridge over the Nullah Batar? If they are prepared, when will they construct? If not, why not?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Yes.

(*b*) Eleven deaths occurred. There is a temporary rope bridge over the Batar Nullah. The question of constructing a pacca bridge will be taken up when the bridges on main roads are completed and funds are available.

LALA RAM LAL : What do you mean by main roads? What main roads are there without bridge? When you have stated that inspite of there being a suspension bridge eleven persons have died there in one year, will then it be called a small road?

NOTE.—No reply was given.

323. MOULVI MOHAMMAD ABDULLA : (*a*) Is it a fact that the settled policy of the Government is to make up the deficiency in communal proportion in the public services?

(*b*) If the answer to (*a*) be in the affirmative, is it a fact that as stated by the Muslim papers the proportion of Muslims is very low?

(*c*) If the answer to (*b*) be in the affirmative, is it a fact that under the present policy the deficiency in the Muslim proportion will never be made up?

CAPTAIN KANWAR HIRA SINGH (On behalf of the Hon'ble Prime Minister) : (*a*) The policy of the Government is to secure fair representation of all communities in State services.

(*b*) No. The Muslim representation in services has increased appreciably.

(*c*) Does not arise.

MOULVI MOHAMMAD ABDULLA : The number has increased. The question is whether there is any hope of the deficiency

being made good or not?

CAPTAIN KANWAR HIRA SINGH : Yes, it is hoped.

MOULVI MOHAMMAD ABDULLA : Till when?

NOTE.—No reply was given.

324. LALA RAM LAL : (*a*) It may please be stated whether the scheme of "turning" the Poonch river is under the consideration of the Poonch authorities?

(*b*) If the answer to part (*a*) be in the affirmative, it may please be stated as to when the Poonch authorities are prepared to carry this scheme into effect? If the reply to part (*a*) be in the negative, it may please be stated whether the Poonch authorities are prepared to turn the Poonch river or not? If not, the reasons therefor may please be stated? It may also please be stated as to whether it is or is not useless to construct a bridge over the river Poonch without turning its direction?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Yes.

(*b*) As soon as funds permit. The scheme for turning the river involves heavy expenditure which slender resources of Poonch can ill-afford at present. The construction of a bridge for the convenience of the traffic is of vital importance and cannot wait till completion of the aforesaid scheme. The construction is not useless as hinted in the question.

LALA RAM LAL : What heavy expenditure will it entail?

NOTE.—No reply was given.

325. SARDAR BUDH SINGH : (*a*) Will Government please state what amount has been spent and on what tanks and wells out of the grant sanctioned for the construction and upkeep of the tanks and wells in Kandi Illaqa?

(*b*) Will Government please state whether this work of construction and repair of tanks and wells has been carried out on the daily-wages-system or through contractors and whether its supervision was entrusted to some responsible officer?

(*c*) Have the leading zamindars of the Illaqa and the members of the Praja Sabha for the constituencies concerned been consulted in this matter as to what tanks and wells should be first attended to, that is on what line the programme of the work has been drawn up?

(*d*) Have some officers of tehsils such as Mirpur, Bhimber etc., where the construction of tanks and wells is vitally essential reported regarding the amount of funds required?

(*e*) If the answer be in the affirmative, why are not the funds sanctioned and satisfactory arrangements made for water supply in the Kandi Illaqa, when the responsible Revenue officers ask for money for this purpose and represent the hardships of the people?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) A sum of

Rs. 20,000 was sanctioned in the P. W. D. budget for 1992-93 and this amount was supplemented by an amount of Rs 8,000 from the Sanitation Cess Fund making a total of Rs. 28,000 in all.

This amount was allotted for the following works :—

		Rs.
1.	Construction of well at Danoh, Tehsil Jasmirgarh ...	9,147
2.	Construction of well at Chak Bhawan, Tehsil Akhnur ...	7,400
3.	Repairs to a tank and construction of a Ghat at village Garh Sohel, Tehsil Akhnoor ...	1,000
4.	Construction of a well in village Akalgarh, Tehsil Mirpur ...	6,606
5.	Completing the remaining portion of Manawali well in village Deva, Tehsil Bhimber ...	3,717
6.	Completing the remaining portion of well at village Vatalla, Tehsil Bhimber ...	1,279
	Total ...	29,149

(*b*) The works have been carried out through contractors under the supervision of the Assistant Engineer and the Divisional Engineer.

(*c*) and (*d*) The Governor Jammu was consulted and the programme was approved by me. I am sorry, I did not have time to consult leading zamindars of the Illaqa and members of the Sabha except few of them.

(*e*) Does not arise.

SARDAR BUDH SINGH : If you did not find the opportunity of consulting me personally, was my report referred to by me during the last session taken into consideration? Was that report of mine considered at the time of sanctioning the grant?

THE HON'BLE MR. WAJAHAT HUSSAIN : I think no such report of Sardar Sahib has so far been received.

SARDAR BUDH SINGH : This is contained in the proceedings also. Well let me know how much money was spent in the construction of tanks in Mirpur District? There are many such wells from where people get drinking water and if nothing has been spent on the construction of tanks the reasons for this may be stated.

THE HON'BLE MR. WAJAHAT HUSSAIN : The works, a list of which has been given, were more urgent.

326. LALA RAM LAL : (*a*) It may please be stated as to what was the Customs and Forest duty levied on the export of "Anardana" before the year 1992 and what is it at present?

(*b*) If the reply to part (*a*) be this that at present it is levied

at a higher rate than before it may please be stated as to what was the income on account of Forest and Customs duty on the export of "Anardana" before 1992 and what it amounts to at present? If there has been a deficit who is responsible for it?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The forest duty on Anardana as well as customs duty on its export before the year 1992 was five annas per maund each. The customs duty on it is the same now but the forest duty has been raised to Rs. 3/2/- per maund. This increase was made to conform to the rates prevalent in the parent State and to stop smuggling of Poonch Anardana in Kashmir Government territory.

(*b*) No separate accounts are kept in the Departments concerned for the export duty on Anardana as this is included in Minor Forest Products for which collectively accounts are kept.

LALA RAM LAL : Reply to part (*b*) may please be referred to. Could these figures be not available from the Customs Department.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You can not cross-examine. It is already stated that such accounts can not be maintained.

327. MOULVI MOHAMMAD ABDULLA : (*a*) Is it a fact that the Government have admitted that the refund of duty to the traders is made within three months by the Customs Department?

(*b*) If the answer to (*a*) be in the affirmative, is it a fact that in reality the refund bills are paid after two years as published on page 2 of the Albarq in its issue of the 2nd July 1936?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI (Finance Minister) : (*a*) The question can not be answered unless the Praja Sabha Sad refers to the particular Government statement or Notification in which the alledged admission has been made. The question is further not clear in that the date from which the period of three months for refund of duty to traders is to be reckoned has not been stated. What the rule requires is that the claim for refund must be preferred within three months from the date of payment.

(*b*) The question does not arise. As regards the complaint alledged to have been published in the Albarq in its issue of 2nd July no enquiry can be made in the absence of particulars but the Praja Sabha Sad would do well to refer the matter with necessary details to the Inspector General Customs and Excise.

328. MOULVI MOHAMMED ABDULLA : In view of the speech of the Hon'ble Revenue Minister during the Srinagar October 1935 session of the Praja Sabha on the Resolution regarding the creation of the Agricultural Department in Illaqa Poonch, will Government please state how many nurseries for stock of fruit trees have been set up in Illaqa Poonch and at what places? What officer of the Agriculture Department has, as promised by the Hon'ble

Revenue Minister, by touring through Illaqa Poonch, given useful advice to zamindars regarding the laying out of orchards etc., and distributed seeds among them?

(*b*) If the answer be in the negative, why is the agricultural development of this Illaqa not attended to?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) The nursery at Poonch proper has been extended. A site for nursery at Rawalkot has been selected and action for setting it up is being taken. In order to afford facilities to the zamindars the rates of plants were considerably reduced and the fact was advertised throughout the illaqa. The Revenue Officers and the Horticulturist are giving useful instructions to the zamindars with regard to the plantation of fruit trees and showing of vegetables etc., during their tours.

(*b*) In view of (*a*) above, this question does not arise.

SARDAR BUDH SINGH : What place was specified at Rawalkot for the establishment of nursery? Has the Hon'ble Revenue Minister ever sent any Horticulture expert there and have seeds been distributed there?

WAZIR FEROZ CHAND : Yes, we did send an officer there.

SARDAR BUDH SINGH : I mean to ask whether any expert has been deputed there by the State. When my resolution regarding the setting up of nurseries was lost by one vote, the Hon'ble Revenue Minister gave me an assurance that the arrangements for establishing nurseries will be made, therefore I want to ask whether any seeds were supplied there.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : No.

SARDAR BUDH SINGH : Has any Officer been deputed to Poonch for this purpose?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : No.

329. MOULVI MOHAMMED ABDULLA : (*a*) Is it a fact that in the public services the communal proportion of Muslims is kept in view as against non-Muslims?

(*b*) If the answer to (*a*) be in the affirmative, is it a fact that the Kashmiri Pandits are included amongst the Hindus and are not a separate community?

CAPTAIN KANWAR HIRA SINGH (On behalf of the Hon'ble Prime Minister) : (*a*) It is the aim of His Highness' Government to secure a fair representation of all communities in State services, be they Muslims, Sikhs, Rajput, Dogras, Kashmiri Pandits, Harijans or others.

(*b*) Reply to part (*a*) may be referred to.

330. LALA RAM LAL : (*a*) It may please be stated whether the Government are prepared to recruit in the Medical Department as a doctor any person who is unqualified but who has vast experience?

(*b*) If the answer to part (*a*) be in the negative, it may please be stated as to why an unqualified person has been employed as a doctor in Illaqa Chenani? Are Government prepared to appoint a qualified doctor at Chenani in place of the present doctor or not? If not, the reason therefor may please be stated?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*) No. Not ordinarily.

(*b*) The Member Praja Sabha is referred to reply to Q. D. No. 629-B of the last session of the Praja Sabha. The incumbent is being paid Rs. 30 per mensem only and when finances of Chenani permit, the question of engaging a qualified doctor on adequate remuneration will be considered.

331. MOULVI MOHAMMAD ABDULLA : (*a*) Is it a fact that for the plots in Gogji Bagh leased out on auction, it was promised that arrangements for lights, water and construction of road would be made?

(*b*) If the answer to (*a*) be in the affirmative, have these amenities been provided there and the inconvenience of the people been removed?

(*c*) If the answer to (*b*) be in the negative, when will Government remove this inconvenience?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) No promise was held out but with the rise of habitation, it was expected that the Municipality and other Departments concerned would make necessary arrangements.

(*b*) and (*c*) As the leases given have been resumed for the College of Science and Technology, these questions do not arise.

332. LALA SHIV NATH NANDA : Are Government aware that the visitors to Kukarnagh experience great inconvenience for want of residental houses and because they are not aquainted with the place?

Is it also a fact that at this place there is only one bungalow situated on a hill about half a mile away from Verinagh, which belongs to the Forest Department and which usually remains reserved?

Is it a fact that there is no such Government area available at this place where visitors may arrange for camping?

If the answer be in the affirmative, will Government, in view of these circumstances, provide facilities for visitors by constructing a Rest House near the spring of water and also by specifying some suitable plain area as camping ground?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : (*a*) Yes.

(*b*) Yes. The Forest Rest House which is situated at the distance of about half a mile away from Kukarnagh (and not Verinagh as has been mentioned in the question) is always available for the visitors with the previous permission of the Divisional Forest Officer

concerned and can be occupied by one party only for a period of 24 hours.

(*c*) No. There are certain small camping places where the fishing parties and other visitors, usually camp such as Duksum, Dandipura, Tangsum, Devalgam, Irkum, Khriti.

(*d*) Does not arise.

333. SARDAR FATEH MOHAMMED KHAN (Haweli Mendhar Poonch :Muslim) : (*a*) Will the Poonch authorities please state the number of the Muslim and the non-Muslim doctors and compounders in the Medical Department and the monthly pay of such Muslim and Hindu doctors and compounders separately?

(b) If from the answers to the above part it appears that the Muslim representation is very low, will the Poonch authorities, in future do justice by stopping the recruitment of non-Muslims in service in order to equalize the Muslim element?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*)

Designation.	Muslims.	Non-Muslims.	Christians.
Doctors ...	1 at Rs. 75	5 at Rs. 730	1 at Rs. 200
Compounders	2 „ 50	11 „ 236	.....

(*b*) The Illaqa administration duly considers the claims of under represented communities in services whenever fresh vacancies occur. In pursuance of this policy a Muslim is being paid a stipend of Rs. 50 per month for M. B., B. S. class in the King Edward Medical College Lahore.

Wholesale recruitment of certain communities cannot be stopped but interests of under-represented communities are always kept in view and are duly safeguarded.

SARDAR FATEH MOHAMMED KHAN : Is there any question of transferring Sardar Mohammed Khan the Muslim Doctor of the Sadar Hospital?

A VOICE : This is a new question.

334. LALA SHIV NATH NANDA : (*a*) Is it a fact that in the Sections 11, 13, and 14 of the Agriculturists Relief Regulation of 1983, it has been laid down that while passing judgement in a suit against an agriculturist the court should specify whether the decreed amount should be paid in one or more instalments and that the amount of each instalment should be fixed in accordance with the paying capacity of the judgment-debtor?

(*b*) Though the above mentioned provision of the law clearly authorizes the court to fix a single instalment on some suitable ocasion, is it a fact that until now, practically, no court has acted in this manner wherefrom it appears that the courts, due to some

misunderstanding, believe that many instalments should be fixed, in consequence whereof the period of the payment of the decreed amount extends in certain cases over more than 200 years? (Six instances of payment extending over 75 to 217 years given).

If the reply to (*a*) and (*b*) be in the affirmative, will the Hon'ble Judicial Minister, in order to stop this injustice, issue such instructions as may ensure the payment of the decreed amount to the money-lenders in reasonable and proper time?

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM : Yes. The reply to (*a*) is in the affirmative. It is not a fact that the courts have never awarded a decree payable by one single instalment. Under Section 14 the number, amount and intervals for the payments of the instalments are fixed according to the paying capacity of the judgment-debtor.

The files of the six cases referred to will be examined by the High Court to find whether the merits of the case warranted the decision recorded therein or not. The result of the enquiry will be communicated in the next session of the Praja Sabha. The law and instructions already issued to the courts are very clear and there is no necessity of issuing any fresh instructions.

LALA SHIV NATH NANDA : The six cases quoted as instances in my question do not appear here. They have been deleted. I want to submit that my yesterday's question also did not include such instances.

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM : Instances are not contained in the question.

LALA SHIV NATH NANDA : They were there.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : They were deleted because they were superfluous.

LALA SHIV NATH NANDA : They formed an essential part of the question. My instances may be read out. If I am permitted I will read them out myself. I have got them with me.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You can read.

LALA SHIV NATH NANDA : I wanted to make it clear.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : All right.

335. Mr. G. M. Sadiq stood instead of Mr. M. A. Beg (Anantnag :Muslim) : (*a*) Will the Minister concerned please state as to the labourers of what place were engaged in digging the Chakura canal in Awantipura Tehsil? What was the rate at which wages were paid to the labourers?

(*b*) Who was the officer through whom the wages were paid to the labourers?

(*c*) Were the receipts taken from them when the wages were paid to them?

(*d*) If wages were not paid what is the reason thereof?

(*e*) Did any officer of the P. W. D. give instructions to the labourers at the time of digging the canal regarding the manner and the direction in which it should be dug?

(*f*) Are Government aware of the fact that the manner in which the canal has been dug leads to the danger of the lands of the zamindars being over-flowed by the surplus water and thus being damaged?

(*g*) Has the work of digging the channel been completed? If not, when will it be completed?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM (Revenue Minister) : (*a*), (*b*), (*c*) and (*d*) All the concerned villages are deriving the benefit from Kuhl Wankran. This canal has been dug out by the zamindars in their own interests free of charges while the Government has spent four thousand rupees on its head-works and weir and is showing further concession of levying no revenue for four years to come for the area which they will convert from Khushki to Abi. The Government has further constructed bridges from Road Cess costing about Rs. 600 in the interest of zamindars.

(*e*) The head work, the weir and the contour level was taken under the instructions of the Divisional Engineer.

(*f*) No surplus water can come in the canal and all surplus water will flow down when the main canal is in flood by lifting the planks of the weir.

(*g*) Yes, it is completed.

336. MIAN AHMED YAR (Muzaffarabad :Muslim) : Will Government please state how many Muslims have been appointed temporarily in the Education Department during the last five months and on what posts, how many of them will hold their posts for more than two months after the termination of this session of the Praja Sabha and what will be their posts and what is their number at present and on what posts they are working?

THE HON'BLE MR. WAJAHAT HUSSAIN : It is very difficult to collect this information and if it is collected it will be of no use because by the time it reaches this office the figures will be changed.

337. LALA SHIV NATH NANDA : (*a*) Is it a fact that the Hon'ble Revenue Minister, in reply to my question No. 106 asked in the last March-April Jammu session of 1935, stated that Sabha Sad concerned is requested to prove by facts and figures that a particular community in a particular Illaqa should be included in the list of agricultural classes? (Vide page 74 of Volume III of Jammu and Kashmir Praja Sabha Debates)

(*b*) Is it also a fact that the Hon'ble Revenue Minister, in reply to my question No. 468 asked on 27th March 1936 in the Jammu session of the Praja Sabha, stated that in order to declare a

certain class as agriculturist it is necessary to prove that the majority of that class mostly depend on agriculture for their livelihood?

(*c*) Is it a fact that Khatris and Mahajans are owners of lacs of kanals of land in the State and pay thousands of rupees yearly as land-revenue to the State? Are Government aware that in Tehsil Rajouri, District Reasi, Khatris and Mahajans own about 2,52,588 kanals and 12 marlas of land and pay Rs. 28,874 yearly as land-revenue to the Government and that besides this there are 75 Wand-dars, 16 Lambardars and 3 Zaildars from amongst these classes whose primary means of livelihood is agriculture?

(*d*) Will Government, according to their promise in the presence of these facts and figures which have been quoted in respect of one tehsil only declare the Khatris and Mahajans of this tehsil as agriculturists for the present?

(*e*) If the answer be in the negative, will Government please appoint a commission to enquire into the truth of this or else will they issue orders to the Wazir-i-Wazarat Reasi for the inclusion of Khatris and Mahajans in the list of agricultural classes after further enquiry?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Yes.

(*b*) Yes.

(*c*) As regards first part the reply is generally in the affirmative, as regards the last part the majority of the classes mentioned by the member Praja Sabha do not depend upon agriculture or occupations subservient to it, as chief means of their livelihood. Their chief occupation is trade and money-lending.

(*d*) No, unless it is proved that majority of them depend on agriculture. The figures quoted by the member Praja Sabha are not conclusive. The mere possession of considerable areas and holding posts by a few representatives of a class does not warrant inclusion of the whole class in the list of agriculturists. It must be shown that majority of the class depend upon agriculture as their chief source of livelihood. This has not been done.

(*e*) The reply to this part of the question is in the negative.

LALA SHIV NATH NANDA : In reply to my question it was stated "yes" and "yes" and then "it is necessary to prove". What method do you propose for proving it? It was requested that enquiry may be made through the Wazir-i-Wazarat, but enquiry is not made. Is there any necessity of suing for proving it?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : An application may be brought for this. There is no need of suing.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Send an application.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Let them make an application.

338. MIAN AHMED YAR : Will Government please state how many Muslims have been appointed temporarily in the P. W. D. during the last five months and on what posts and how many of them will hold their posts for more than two months after the termination of this session of the Praja Sabha and what will be their posts and what is their number at present and on what posts they are working?

THE HON'BLE MR. WAJAHAT HUSSAIN : It is very difficult to collect this information and if it is collected it will be of no use because by the time it reaches this office the figures will be changed.

339. SARDAR FATEH MOHAMMED KHAN : (*a*) Is it a fact that through a command dated 6th Assuj 1897 His Highness the Maharaja Bahadur. the then ruler of Jammu and Kashmir, granted a Jagir of Rs. 25 per annum to Sardar Rai Mohammad Bakhsh Khan of Kot Mohajan, Illaqa Prawah?

(*b*) Is this also a fact that Rai Mahbub Khan, the son of Sardar Rai Mohammad Bakhsh Khan, and on the death of Rai Mahbub Khan his son, Rai Kala Khan have been receiving this annuity?

(*c*) Is this also a fact that at the time of the regular Settlement of 1960 the Settlement Officer declared it as hereditary Jagir?

(*d*) Is this also a fact that after the death of Sardar Rai Kala Khan the said amount of Jagir is being realized from Thakyala Prawa Illaqa but it is not being paid to the successors of Sardar Kala Khan?

(*e*) If the answer to the above parts be in the affirmative, will the Poonch authorities grant the forfeited amount of the above mentioned hereditary Jagir rateably to the successors and thus oblige them? If not, the reasons may please be stated for the forfeiture?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*), (*b*), (*c*) and (*d*) There is no mention of the Jagir referred to in the question in the Settlement records.

(*e*) The question therefore does not arise.

SARDAR FATEH MOHAMMED KHAN : Will the Wazir Sahib please state as to whether I had requested him that the file is with the High Court?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You are simply arguing.

SARDAR FATEH MOHAMMED KHAN : Sir, my submission is that the reply given is not correct. The file is there and the order is contained therein.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : All-right submit the file. When you submit a copy of it, it will then be proved that an incorrect reply has been given.

340. LALA SHIV NATH NANDA : Will Government kindly place before the House the following facts and figures regarding the Harijan cominunity :—

(*a*) The number of Harijans taken in service during the last iive years?

(*b*) The number and the amount of scholarships granted during this period in favour of the youngmen of this comniunity for technical education?

(*c*) The steps taken by the Government to ameliorate the condition of this backward community?

CAPTAIN KANWAR HIRA SINGH (On behalf of the Hon'ble Prime Minister) : (*a*) 81. Three posts of clerks and one of a peon were refused by Harijans.

(*b*) 298 scholarships of the value of Rs. 7,138 have been granted. The attention of the member is further drawn to the answer to Q. D. No. 861 (S. No. 504) replied on 27th March 1936.

(*c*) The attention of the member is drawn to Q. D. No. 544 (S. No. 363) answered on 22nd October 1935 in which mention has been made of the steps taken by Government to ameliorate the condition of the Harijans. The Jammu Municipality has spent considerable sums of money in providing civic amenities for the members of this community in Rehari. The question of constructing a bridge at Rehari at an approximate cost of Rs. 24,000 is also under the consideration of the Jammu Municipality.

341. Mr. G M. Sadiq stood for Mirza M. A. Beg : (*a*) Is it a fact that when zamindars take to their cattle to pastures on the hills in summer for grazing, the Kahcharai officer demands the receipt of the payment of Kahcharai fee from them?

(*b*) Is it a fact that the fixed Kahcharai tax-payers get such receipts from Patwaris who do not issue them to the zamindars without receiving unlawful gratification?

(*c*) Has any such instance of Garipura village come to the notice of the authorities?

(*d*) If the answer to part (*c*) be in the affirmative, what action has been taken thereon?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Yes.

(*b*) *Isl part.*—Yes.

2nd part.—The authorities have no such knowledge.

(*c*) No.

(*d*) Does not arise.

342. LALA SHIV NATH NANDA : (*a*) Is it a fact that the Hon'ble Home Minister visited Kokarnagh this summer wherefrom he proceeded to Verinagh on horseback?

(*b*) If the reply be in the affirmative, will the Hon'ble Home Minister please state as to whether the condition of the road from Kokarnagh to Verinagh is bad and whether it is difficult for a horse

to go along this? If so, will the Hon'ble Home Minister recommend to the Government for repairing this road at an early date?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) Yes.

(*b*) I rode all the way. I shall not be right in saying that the road is difficult for a pony, if the weather is good.

313. SARDAR FATEH MOHAMMAD KHAN : (*a*) Is it a fact that the resolutions regarding the transfer of Babu Mohammed Akbar Khan, an employee in the Co-operative societies (at present on leave), to the Electrical or the Judicial Department and regarding the grant of full pension to or the re-appointment of Sardar Fateh Mohammed Bahadur Khan retired Jamadar Risala were passed on 24th Sawan 1993 in a grand meeting of the Muslims of Poonch and the same were submitted to the Government?

(*b*) If the answer to part (*a*) be in the affirmative, it may please be stated as to what action has been taken on this public demand?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Yes.

(*b*) The question regarding M. Fateh Bahadur Khan's pension has been replied in Q. D. No. 247 and that regarding B. Mohammad Akbar in Q. D. No. 249 yesterday.

314. KHAWAJA ALI MOHAMMED (Fateh Kadal, Tenkipura, Srinagar City :Muslim) : (*a*) Will the Hon'ble Finance Minister please state the number of clerks in the Sadar treasuries of Jammu and Kashmir respectively? How many of them are Muslims and how many non-Muslims?

(*b*) If the number of Muslims is nil, reasons may please be stated, why only one community is enjoying the exclusive right of representation there?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : (*a*)

		Muslims.	Non-Muslims.
Srinagar Treasury	...	1	10
Jammu „	...	1	12

The Superintendent in the Srinagar Treasury and the Head Clerk in the Jammu Treasury are Muslims.

(*b*) The existing establishment was appointed before the Glancy Commission. As vacancies occur Muslim element is being increased.

KHAWAJA ALI MOHAMMAD : The reply supplied to me is different from the reply read out by the Hon'ble Finance Minister.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : True copy will be supplied.

(Addressing the Hon'ble Finance Minister) You will kindly

supply to the office a copy of the reply you read.

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : Yes, Sir.

345. SARDAR FATEH MOHAMMAD KHAN : (*a*) Will the Poonch authorities please state what is the monthly pay of Mistri Shiv Dutta, an employee in the P. W. D? What are the duties entrusted to him? What is the age and the period of his service?

(*b*) It may please be stated in detail as to how the Department would justify the necessity of this post and what duties he has discharged and where he has worked during the last four years?

(*c*) If from the answer to part (*a*) it appears that the said Mistri, in view of his age and service, is fit for retirement and if from the answer to part (*b*) it appears that he has discharged no work of importance and responsibility, will the authorities retire him and appoint some educated and trained young man to this post?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Rs. 45 per mensem. He is a very good mason himself and is put on the supervision of all important buildings. He is also attached with the Palace duties for which he is best suited. His age is 50 and permanant service 13 years.

(*b*) Reply given in (*a*) above. He worked on the following works :—

(*i*) Rani Sahiba Utelia's Bungalow.

(*ii*) Zenana Durbar Hall Moti Mahal. Tehvil Rooms. Deorhi Officer's office and maid servants' quarters.

(*iii*) Chhanjal bridge and its approaches and many others.

(*c*) In view of the above this question does not arise.

346. KHAWAJA ALI MOHAMMAD : Will Government please state whether the provisions of the Agriculturists' Relief Regulation have been kept in view while passing the decrees in suits filed in the form of paupers as a result of the special permission granted for the district of Mirpur in connection with the past disturbance?

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM : The reply to the question is in the affirmative.

347. LALA SHIV NATH NANDA : (*a*) Are Government aware that the road which leads from Achhabal to Kokarnag is a Kacha road and in the event of rainfall it becomes difficult for the visitors to walk along it and also the daily inconvenience caused by dust etc., is extremely intolerable?

(*b*) Is it a fact that the Government is prepared to provide every facility to visitors?

(*c*) If the reply be in the affirmative, will Government remove the complaint of the visitors by making this small portion of road which is only ten miles along a pacca one especially when no special expenditure is required for the construction of more bridges?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM :

(*a*) Yes.

(*b*) Yes.

(*c*) The number of visitors to Kokarnag is not so large as to warrant metalling of this road at present. In its present condition it is a fair-weather road looked after by the Forest Department.

LALA SHIV NATH NANDA : Your honour has stated that such a large number of visitors does not go over to Kokarnag *via* Achhabal. After what enquiry has this been concluded?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : This belief is based on general knowledge.

LALA SHIV NATH NANDA : Have you visited the place this year?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Yes.

348. LALA HANS RAJ (Jammu Wazarat :Hindu) : Will Government please state as to how many cases of theft took place in Jammu Province within the last five years and in how many cases the property was recovered and given back to the complainants?

(*b*) How many theft cases and how many recoveries took place particularly in Tehsil Basohli, and in how many cases the stolen property was restored according to the entries made?

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM : The information is being collected and the question will be answered in the next session of the Praja Sabha.

349. MIRZA M. A. BEG : Is it a fact that Goripora Bonderpora villages have suffered a great loss in 1991, on account of drought?

(*b*) If the answer be in the affirmative, will Government, in view of the said drought and the subsequent economic depression, suspend the land-revenue for the Kharif crop of the said year and realize it by instalments?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Yes.

(*b*) Demand already suspended.

350. PANDIT RAM CHANDRA DOBEY (Kathua :Hindu) : Are Government aware of the fact that many lives are lost every year, in the Uj river at the time of rainy season, and that the temporary bridge lying in the Jammu-Kathua road, does not prove useful for the purpose in rainy months and that it is only boat which serves the purpose at the time of floods in the river?

In the last session, in answer to my question No. 658 (Q. D. No. 683) asked on 6th April 1936 the Government stated that the matter regarding the construction of a permanent bridge over the river Uj would be considered. Will Government please prepare estimates for the construction of the bridge in the current year?

THE HON'BLE MR. WAJAHAT HUSSAIN : I have not heard of any loss of life. The temporary crossings were not meant to be used during the rainy months.

The preparation of the estimate will be taken in hand after the survey work, which is being done, is completed.

351. MIAN AHMED YAR : Will Government please state whether there is any rule regarding the realization of ground-rent for the site of shops or for the parts of houses which are being used as shops, situate far away from the Jhelum Valley Road? If there is no such rule why is ground-rent being charged for the sites of shops in villages Tad, Titwal, Mirpura etc., of Tehsil Karnah, District Muzaffarabad?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Yes. The Praja Sabha Sad is referred to Ailan No. 12 of 22nd Poh 1960.

2nd part.—Does not arise.

MIAN AHMED YAR : According to Notification No. 12 can ground-rent be realized for those parts of the building which contain shops.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : It raises a new issue.

NOTE.—Mian Ahmed Yar read out the question again.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : It is laid down in detail in Ailan No. 12 that the shops in the villages are exempt from ground-rent, but in the case of such villages where the trade increases, if shops are set up there these will be liable to ground-rent. In accordance with this Ailan the place referred to can be liable to ground-rent. Thus it is nothing more than this that if there is a house in the village that part of it which will be used as a shop would be liable to ground-rent.

352. PANDIT RAM CHANDRA DOBEY : In the last session, in reply to my question No. 435 (Q. D. No. 675) asked on 26th March 1936, it was stated on behalf of the Government that the details regarding the recommendation of the Retrenchment Committee of 1932 would be supplied in the next Srinagar session.

Will Government please supply such detail for the information of the House?

CAPTAIN KANWAR HIRA SINGH (On behalf of the Hon'ble Prime Minister) : The information as far as is ascertainable has been placed on the table of the House.

Statement showing how far effect has been given to the recommendations of the Retrenchment Commission of 1932.

Serial No.	Name of Department.	Action taken.
1	Judicial Department ...	All the recommendations of the Commission have been given effect to.
2	Education Department	All recommendations of the Commission with the exception of the one relating to the levy of fees in all kinds of boys schools other than Primary schools and raising the existing rates of fees by 50 per cent. in Upper Middle, High schools and Colleges have been given effect to.
3	Technical Schools	All recommendations have been given effect to.
4	Customs Department	Recommendations given effect to excepting one relating to re-distribution of posts.
5	Municipalities ...	Grant-in-aid to Municipalities were stopped but half the salary of Health Officer, Srinagar, and an allowance of Rs. 130 to the Health Officer Jammu is still being paid by the Government.
6	Departments included in Finance Portfolio excepting Serial No. 4 and 5.	All recommendations were given effect to.
7	Revenue Department...	All recommendations were given effect to.

Serial No.	Name of Department.	Action taken.
8	Police Department ...	All recommendations were given effect to.
9	Medical „ ...	All recommendations were given effect to.
10	Jails Department ...	The following recommendations were not given effect to:— (i) The Printing Press at Jammu was to continue till the circumstances permit of the labour employed there being utilised in some other way. This recommendation could not be given effect to as the convict labour can not be otherwise kept busy. (ii) This could not be acted upon owing to the deficiency in the number of warders, overwhelwing number of prisoners in the jails and absence of accommodation required under rules.
11	Electric, Telegraph and Telephone Departments.	Action has been taken on all the recommendations.
12	Public Works Department.	Do.
13	Research Department...	The retrenched servants have been recruited.

353. KHAWAJA ALI MOHAMMAD : Will Government please state :—

(*a*) What is the number of the Gazetted Officers in Seri-

culture Department Srinagar? How many of them are Muslims, and how many non-Muslims and what are their pays?

(*b*) What is the number of Deputy Directors and Assistant Directors? How many of them are Muslims and how many non-Muslims and what are their pays?

(*c*) What is the number of Senior Sericulture Assistants? How many of them are Muslims and how many non-Muslims and what are their pays?

(*d*) What is the number of Assistant Inspectors of Mulberry-culture? How many of them are Muslims and how many non-Muslims and what are their pays?

(*e*) What is the number of Head Inspectors at the Seed House and at the Factory? How many of them are Muslims and how many non-Muslims and what are their pays?

(*f*) What is the number of Nigrans? How many of them are Muslims and how many non-Muslims and what are their pays.

(*g*) What is the number of clerks? How many of them are Muslims and how many non-Muslims and what are their pays?

(*h*) What is the number of Head clerks, Accountants, Cashiers? How many of them are Muslims and how many non-Muslims and what are their pays?

(*i*) What is the number of Time-keepers and Assistant Time-keepers? How many of them are Muslims and how many non-Muslims and what are their pays?

(*j*) If it appears from these facts that there is a great paucity of Muslim representation in this Department which is run by the hard labour of the starving Muslims, are Government prepared to take immediate practical steps in order to increase the Muslim representation? If not, why not?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (I) A statement showing the strength of the staff in the Kashmir Sericulture Department and the Mulberry Culture Department by different communities is enclosed.

(II) We are trying to increase the number of the Muslims wherever and whenever possible.

Statement showing total strength of Kashmir Sericulture Department including Kashmir Mulberry Culture.

Serial No.	Designation of grade.	Sanctioned strength	Hindus.		Muslims.		Sikhs.		Others.	
			No.	Pay p. m.	No	Pay p. m	No.	Pay p. m.	No.	Pay p. m.
				Rs.		Rs.		Rs.		Rs.
1	Director (Gazetted)	1	...	...	...	...	...	...	1	800
2	Deputy Director Reeling (Gazetted)	1	1	460	...	...	...	...	...	...
3	Asstt. Directors ...	3	1	316	1	316	...	...	...	...
4	Accountant ...	1	1	100	...	...	...	...	..	...
5	Head Clerk ...	1	1	72	...	...	...	...	...	...
6	Clerks ..	11	9	261	2	42	...	...	...	...
7	Chaprasis ...	6	3	42	2	28	1	14	...	...
8	Sericulture Assistants ...	5	5	1,250	...	...	...	...	...	...
9	Inspectors ...	9	4	276	5	305	...	...	...	...
10	Sub-Inspectors ...	13	10	259	3	77	...	...	...	..
11	Hazrinawis ...	7	5	104	2	41	...	...	...	...
12	Assistant Hazrinawis	3	3	47	...	...	..	...	...	...
13	Silk Sorters ...	8	1	15	7	105	...	...	...	...
14	Bailers ...	6	..	...	6	84	...	...	...	...
15	Nigrans ...	43	25	450	18	324	...	...	...	...
16	Foremen ...	2	...	...	2	119	...	..	...	...
17	Mali ...	1	...	...	1	15	..	...	...	...
18	Sanitary Darogha...	1	...	...	1	30	...	...	...	...
19	Cocoon-weighers ...	4	2	3.	2	30	...	...	...	...
20	Pump Operators ...	5	4	76	1	15	...	...	...	...
21	Fitters ...	2	...	...	2	57/8	...	...	...	...
22	Blacksmiths ...	6	?	60	4	120	...	...	...	...
23	Carpenters ...	9	1	23	8	208	...	...	...	...
24	Head Seed Examiner	6	4	116	2	58	...	...	...	...
25	Seed Examiner ...	45	26	513	19	771	...	...	...	...
26	Boilermen ...	11	...	...	11	220	...	...	...	...

Serial No.	Designation of grade.	Sanctioned strength	Hindus.		Muslims.		Sikhs.		Others.	
			No.	Pay p. m.	No.	Pay p. m.	No.	Pay p. m.	No.	Pay p. m.
				Rs.		Rs.		Rs.		Rs.
27	Cartmen ...	9	1	13	8	104	...	...	...	...
28	Havaldar ...	1	1	25	...	...	...	...	...	...
29	Masons ...	2	...	...	2	66	...	...	...	...
30	Sentries ..	68	12	168	44	554	12	171	...	...

Kashmir Mulberry Culture Department.

1	Deputy Director Mulberry Culture.	1	vacant	...	...	...	...	...	...	...
2	Mulberry Assistants	7	4	500	3	440	...	...	...	...
3	Clerks ...	2	2	110	...	...	...	...	...	...
4	Inspectors ...	1	1	55	...	...	...	...	...	...
5	Head Malis ...	13	3	49/8	10	160	...	...	...	...
6	Guard ..	1	...	...	1	11	...	...	...	...
7	Peons ...	12	7	84	4	50	1	13	...	...
8	Malis ...	*17	2	25	13	158	1	12	...	...

* One post of Mali vacant.

KHAWAJA ALI MOHAMMAD : The list which has been placed on the table shows the number of Muslim carpenters, blacksmiths, masons, labourers and menials, that is the reply has absolutely no connection with the question asked. What I want to ask is whether there is any cashier also?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The list supplied includes in it the Director, the Deputy Director, Head clerk, Assistant Director, Senior Assistant Sericulture, Assistant Mulberry Culture etc.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The Head clerk includes a cashier also.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Generally Head clerk functions as a cashier also.

SARDAR KANHAYA SINGH (West Kashmir :Sikh) : The Sikh zamindars are not represented in most of the Departments which have hitherto been referred to.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : There are 12 Sikhs also. (Cheers)

SARDAR KANHAYA SINGH : Are they menials or in any other grade?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : They are Sentries. (Laughter)

354. MIRZA M. A. BEG (Anantnag :Muslim) : (*a*) Is it a fact that the inhabitants of Doru, Anantnag have repeatedly requested for raising a local lower middle school to an upper middle school?

(*b*) If the answer be in the affirmative, what action has been taken on their request?

(*c*) Will the Hon'ble Home Minister raise it to an upper middle school?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) Yes.

(*b*) The request has not been complied with.

(*c*) I am prepared to refer the demand to the Education Standing Committee.

355. LALA HANS RAJ (Jammu Wazarat :Hindu) : (*a*) Are Government aware that the arrangements for construction and repairing of roads from Tehsil Basohli to Bhadarwah and Basohli to Jammu are not being properly made inspite of the fact that after the Settlement a sum of Rs. 1,50,000 is stated to have been realized as Rond cess along with the land-revenue and expenditure has been very low?

(*b*) If the reply be in the affirmative, will Government please state as to why the repairs have not been effected and when can the repairing of these roads be expected?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : If the question pertains to Basohli Tehsil the reply is in the negative.

(*a*) After the Settlement in 1914 a sum of Rs. 3,000 is being annually realized as Road cess from Basohli Tehsil which gives a total uptil date of Rs. 66,000 only It is not therefore correct to say that a lac and a half has been realised.

The fact is that the expenditure on the Revenue roads has exceeded the annual receipts. A sum of Rs. 3,000 average is spent annually on upkeep of Revenue roads the main road Basohli to Jammu is being looked after by the P. W. D. The following amounts were provided during the last two years for Basohli Tehsil :—

1992-93	...	7,047
1992-93	...	7,381

For the next year Rs. 7,400 have been provided.

The excess of over Rs. 4,000 annually over the receipts is thus apparent.

(*b*) Does not arise in view of the reply given above.

356. PANDIT RAM CHANDRA DOBEY : Since when is the Efficiency Board established in the State?

Who are its members? How much work has this Board dis-

charged so far?

Will Government please place on the table the details of its work for the information of the House?

CAPTAIN KANWAR HIRA SINGH (On behalf of the Hon'ble Prime Minister) : The Public Service Efficiency Commission was appointed in the State on 7th May 1930.

(*b*) The permanent members of the Commission are the Chief Justice (*Ex-officio*) and Major-General Nawab Khusru Jang, Minister-in-Waiting.

(*c*) The meetings of the Commission are held as often as the work before the Commission requires.

(*d*) The work done by the Commission cannot be placed on the table of the House, its proceedings are confidential.

357. KHAWAJA ALI MOHAMMED : (*a*) Is it a fact that in reply to question No. 447 (Q. D. No. 370) of 24th October 1935, the Hon'ble Revenue Minister stated that it does not appear that great majority of the zamindars are left with a good deal of surplus produce after the delivery of the due portion of grain? (*Vide* page 69 of Volume II A, Part II of Jammu and Kashmir Praja Sabha Debates)

(*b*) If the answer be in the affirmative, will Government please state from where the grain was imported which was brought to Srinagar unlawfully through secret way and for which the Food Control Department has been complaining?

(*c*) Will the Food Control Department be compelled to purchase the entire produce of the zamindars in order to check the unlawful import of such grain into the city?

(*d*) If not, will the restrictions for the import of grain into Srinagar city be removed so that the zamindars by selling surplus grain may be able to earn their livelihood?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Yes.

(*b*) The grains smuggled into Srinagar represent the surplus produce of big zamindars and Chakdars who dispose of their surplus Shali to grain-dealers and Hanjis?

(*c*) No. This is not practical nor is Srinagar the only market for the sale of the Shali.

(*d*) His Highness' Government are watching the situation and will remove the existing restrictions as soon as it is found practicable.

358. PANDIT RAM CHANDRA DOBEY : In the month of June 1936 a large number of the coolies of the Kandi Illaqa of District Kathua were killed in Amritsar city and the Dogra Sabha Amritsar invited the attention of the Kashmir Government to the above fact. Will Government please state the detail pertaining to the action taken by the Kashmir Government in this behalf for the information of the public? What were the findings of this en-

quiry?

CAPTAIN KANWAR HIRA SINGH (On behalf of the Hon'ble Prime Minister) : Three coolies of Kathua District were reported to have died of suffocation at Amritsar in June last, but the exact cause of their death is not known and the Inspector General of Police is making enquiries from the Amritsar Police authorities whose reply is awaited.

359. LALA HANS RAJ : (*a*) Is it a fact that there is no bridle road between the villages Hatli and Mahanpur a distance of 9 miles where even the human beings find it difficult to travel?

(*b*) If the answer be in the affirmative, what is the reasons therefor, when Road cess realized from every Illaqa is being spent for the construction of roads?

(*c*) When can the repair of such roads be expected?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) *1st part.*— Yes.

2nd part.—Government have no such information.

(*b*) The necessity for such a road has never so far been established.

(*c*) After more important roads in the tehsil have been improved.

360. PANDIT JIA LAL KILAM (Srinagar City South :Hindu) : Will the Government please state :—

(*a*) How many irrigation projects have been undertaken by the Government since the year 1932?

(*b*) How much non-irrigated land has been brought under irrigation since 1932?

(*c*) How many new canals have been dug since 1932?

If there are any such canals what is their length in miles, furlongs or yards, and how much money has been spent over them by the Government?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) The Nandi Kuhl canal is under construction and the Zainagir canal was completed in 1932-33.

(*b*) The construction of Zainagir canal brought 9,222 acres under irrigation.

(*c*) Only Zainagir canal has been completed. The total length of the canal is 45 3 miles. Rs. 11,00,000 has been spent on this canal.

PANDIT JIA LAL KILAM : My submission is that my question was how many irrigation projects have been undertaken since 1932. Your honour tells me that Nandi Kuhl is under repairs. When was this undertaken?

THE HON'BLE MR. WAJAHAT HUSSAIN : Last year.

PANDIT JIA LAL KILAM : What about the Zainagir canal?

THE HON'BLE MR WAJAHAT HUSSAIN : It has been stated...

PANDIT JIA LAL KILAM : My question is not with respect to completion, it is with respect to undertaking.

THE HON'BLE MR. WAJAHAT HUSSAIN : Nandi Kuhl is under repairs while Zainagir is not under repairs.

361. PANDIT GOBIND RAM KABU (Kashmir :Hindu) : Will the Government be pleased to lay on the table the recommendations of the Nazool Committee of 1933?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : These recommendations are contained in the "Report of the Committee on the utilization of Government lands" in a printed book form copy of which is available in Praja Sabha Library.

362. SARDAR KANHAYA SINGH (West Kashmir :Sikh) : In reply to Q. D No. 100, 1991 the Hon'ble Prime Minister stated that since the formation of the Scholarship Selection Board 46 scholarships for training the students in India and abroad were given to the students of different communities other than the Sikhs and so far as Foreign training was concerned the Government had spent a sum of Rs. 3,61,909 and the figures of the expenditure incurred for training students in India could not be available due to the time at his disposal being very short and every application was duly considered. Will Government please state as to what action has been taken on the application of Sardar Harbajan Singh son of a Sikh zamindar a student of M. B., B. S. class in the K. E. Medical College Lahore? And has any scholarship been given to him by the Government? If not, what are the reasons therefor? How many scholarships for Medical training were awarded by the Government after this and what was the sum spent thereon? Was any scholarship out of these awarded to any Sikh? If not, the reasons may please be stated? Will this deficiency be made up by awarding scholarships to Sikhs?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) As the grant of M. B., B. S. scholarships has been stopped no action could be taken on Sardar Harbajan Singh's applications.

(*b*) None.

(*c*) Reply to part (*a*) may be referred to.

(*d*) None. The question of expenditure does not arise.

(*e*) Does not arise.

(*f*) No other Sikh has applied for the scholarship except Harbajan Singh who is appearing in the final M. B. B. S. examination in October 1936.

SARDAR KANHAYA SINGH : What action has been taken on the application submitted by Sardar Harbajan Singh at the time when scholarships were again available.

THE HON'BLE MR. WAJAHAT HUSSAIN : The difficulty is that Sardar Harbajan Singh will be completing his education in this October and thus how can scholarship be given for the next year.

SARDAR KANHAYA SINGH : The fact that his education is coming to an end is not contained in the reply which is placed on my table. The next point is whether any action has been taken on the applications submitted by the Sikh students for the grant of scholarships for the Sub-Assistant Surgeon class.

THE HON'BLE MR. WAJAHAT HUSSAIN : No scholarships have been given for the Sub-Assistant Surgeon class.

SARDAR KANHAYA SINGH : Well Sir, has any scholarships for foreign training been granted to any Sikh?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : This is a new question.

363. WAZIR GANGA RAM (Reasi :Hindu) : Is it a fact that Katra town (Tehsil Reasi) is being transferred to the Nazool Department? If the answer be in the affirmative, will Government please state as to why this is being done inspite of the fact that the rights of the people have been recognized after a regular Settlement having taken place?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The Katra town is not being transferred. Khalsa areas, if any, will be managed by the Nazool Department.

The 2nd part of the question does not arise.

364. YEBGO IFTIKHAR ALI KHAN (Skardu Tehsil :Muslim) : As the private diseases of women are becoming common, can the Medical Department open a Zenana dispensary at Askardu which besides being a tehsil is the centre of Baltistan? If not, why not?

THE HON'BLE MR. WAJAHAT HUSSAIN : The question will be considered when new dispensaries are opened.

365. PANDIT GOBIND RAM KABU : (*a*) Will Government please state whether or not it is a fact that the rates of ground-rent fixed according to Notification No. R-18 of Sambat 1989-90 are considerably higher than those in vogue before it and that the "Wasidars" and lease-holders find it almost impossible to pay the rent at the new rates?

(*b*) Is it true that the holders of lands under the old rates have made considerable improvements in their holdings and have at huge expense erected buildings which the Nazool Department now desires them to remove without suitable compensation in case they refuse to accept the new rates?

(*c*) Will Government please take into consideration the vast investments of Wasidars and lease-holders made upon their holdings and not enhance the rent by more than 50 per cent. of the original rates agreed upon by them?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*), (*b*) and (*c*) The revision of these rates is under the consideration of the Government.

PANDIT GOBIND RAM KABU : No reply has been given to part (*a*) and (*b*) of my question. My question was like this :—

(The member read out the question)

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : He says that the matter is under enquiry.

PANDIT GOBIND RAM KABU : That rates will be revised is stated in answer to part (*c*). As regards parts (*a*) and (*b*) no reply has been given.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You have put the question and enquiry is being held in this matter. It is heavy whether it should be reduced or not.

366. YEBGO IFTIKHAR ALI KHAN : Can Government sanction the following holidays in Tehsil offices and schools etc., as is the practice in the offices in the Punjab, in view of the fact that the entire population of Baltistan belong to Shia sect :—

1.	Birth and death of holy prophet	...	Two days.
2.	Birth and death of Hazrat Ali	...	Two days.
3.	Moharrum	...	Nine days.
4.	Naurose	...	Two days.
5.	Id Gadir	...	One day.

CAPTAIN KANWAR HIRA SINGH (On behalf of the Hon'ble Prime Minister) : The list of holidays has been prepared after very careful consideration and Government regrets its inability to revise it at present.

367. PANDIT GOBIND RAM KABU : Will the Government please state whether it is prepared, in view of its improved financial condition, to remove the ban on the annual increments and promotions of Government employees especially drawing salaries below Rs. 200 per month and also on increases in the grants-in-aid of the educational institutions?

CAPTAIN KANWAR HIRA SINGH (On behalf of the Hon'ble Prime Minister) : The question of revision of salaries is under consideration and it is not possible to make a statement at this stage.

368. LALA HANS RAJ : (*a*) Will Government please state as to whether they have advertised the post of the Director of Commerce and Industries?

(*b*) If the answer be in the affirmative, will Government give a sympathetic consideration to the rights of those hereditary subjects of the State who have received higher training in the foreign countries in this line? If not, why not?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Yes.

(*b*) Certainly, if anybody possessing requisite qualifications and business experience is forthcoming.

LALA HANS RAJ : You should be informed about it?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Applications may be submitted.

LALA HANS RAJ : Is application to be submitted to you?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Yes.

PANDIT GOBIND RAM KABU : Has any provision for this been made in the budget or it has been advertised for nothing?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : It has been advertised and provision will be made in accordance will that.

PANDIT GOBIND RAM KABU : So, that no provision has yet been made.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : It will be made.

369. YEBGC IFTIKHAR ALI KHAN : Has the Public Works Department given consideration to my question No. 749 (Q. D. No. 847) asked on 7th April 1936 relating to the construction of bridges asked in the last session that bridges be constructed on the river Shewak and Attak where the pathway is difficult to be traversed and is completely blocked up during floods? These pathways lead to Ladakh and Illaqa Khaplu etc.

THE HON'BLE MR. WAJAHAT HUSSAIN : *Reply at the last session.*—No such demand has so far been made by any one. Necessary report is being called for from the Divisional Engineer concerned.

Reply now given.—The Assistant Engineer's report is awaited.

370. PANDIT JIA LAL KILAM : (*a*) Will the Government please state as to what improvements have been effected in the methods of agriculture since the year 1932 in Jammu and Kashmir State?

(*b*) Whether any improvements have been effected by the zamindars in agricultural implements as a result of Government measures adopted in this behalf since 1932? If so, what are the improvements?

(*c*) Whether any scientific demonstrations have been given to the zamindars since 1932 to teach them improved methods of agriculture? If so, when and where and by whom?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The three parts of the question are practically indentical, and have been treated as one in the reply.

The Department of Agriculture has effected the following

improvements since 1932 :—

(*i*) Introduction of improved seeds of crops and vegetables. Since 1932, 5,800 odd maunds of improved seeds have been distributed in the districts. The following have been distributed on a large scale as new introductions :-- Sugar Corn, Peas, a number of foreign vegetable varieties of Apricots, Pears, Apples, Loquats, Persimons, Pistachios and Blight resistant Potatoes, etc.

(*ii*) Practical demonstration of commercial fertilisers, and buiding grafting and planting of orchards by sending out peripatetic parties of trained men. On an average, 300 villages are visited annually.

(*iii*) New methods of propaganda by Magic Lantern Slides and Movie pictures and printed leaflets have been started.

(*iv*) The remedial measures against San Jose Scale Pest have been successful, and since 1932 private orchardists have sprayed their fruit trees voluntarily. Only last year 8 lacs of fruit plants have been sprayed involving a total expenditure of Rs. 33,000. The Crop and Plant Regulation has been promulgated. This work of the Department is the only one of its kind in the whole of British India and Indian States. Free spraying machinery and free technical labour are supplied to the zamindars for spraying their fruit trees involving a cost of Rs. 6,000 annually. About 100 spraying pumps have been purchased by private orchardists

(*v*) More than one lac fifty thousand grafted fruit plants are distributed annually, among bonafide zamindars. New rules for consolidation of horticulture have been introduced and haphazard distribution of fruit plants have been stopped. The Department now keeps a regular watch on what has been planted in the districts. A census of the fruit trees in the valley has been completed for the first time.

(*vi*) Fruit nurseries have been started in the Jammu Province for the first time. Besides distribution of fruit plants, the Department has successfully introduced Wheat 8-A and Sugarcane Co. 285. Both crops being superior are replacing old local varieties.

(*vii*) The Department has extended its activities to Uri and Muzaffarabad Tehsils.

(*viii*) Seed Agencies have been appointed in nearly all towns, and this arrangement makes the departmental improved

seeds available at all places.

(*ix*) Improved seeds are delivered at Tehsil headquarters at local market rates, and the Government pays the carriage charges.

(*x*) The zamindari enterprise is being stimulated by giving away cash prizes and merit certificates for the best exhibits of fruits, crops and flowers in the annual Agricultural Exhibition.

(*xi*) Popularised the furrow turning ploughs which are now getting in demand as a result of demonstration and very recently an order of about half a dozen such ploughs has been placed by the zamindars.

KHAWAJA GHULAM MOHAMMAD SADIQ : The Hon'ble Revenue Minister has in his reply stated that demonstrations were made by means of magic lantern and cinema show. May I know when and where the demonstrations were made?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : How can I say anything off hand about it?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : What can he say about it off hand.

371. WAZIR GANGA RAM : (*a*) Are Government aware that some labourers died on account of land-slip on the Nullah Balganga near Katra town, Tehsil Reasi at the time of repairing the road?

(*b*) If the answer be in the affirmative, will Government please state as to whether any relief was granted to the heirs of the deceased persons? If so, how much?

(*c*) If it has not been granted, what are the reasons therefor?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) Yes.

(*b*) A sum of Rs. 100 each has been recommended in favour of the heirs of the deceased persons and the orders of the competent authority are awaited.

(*c*) The question does not arise.

372. PANDIT JIA LAL KILAM : Will the Government please state if the Government knows that the price of agricultural produce has very much gone down. If so, will the Government consider the advisibility and justice of reducing the land-revenue under these circumstances?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The prices of agricultural produce prevailing at present are not unfavourable when compared with the commutation prices assumed at the last Settlement for assessment purposes. Thus the 2nd part of the question does not arise. In this connection the member Praja Sabha is referred to Glancy Commission Report Chapter V part (3) wherein it is observed that "if the Kashmir Valley were equitably reassessed at the present time, the assessment would show a meterial

increase". The member Praja Sabha is also referred to reply to Q. D. No. 337 given on 12th October 1936.

PANDIT JIA LAL KILAM : Sir, my question is as to whether the prices have been reduced or not? I have received no reply to regarding it.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Prices have gone down but no reduction has been made in land-revenue.

PANDIT JIA LAL KILAM : We are always prepared to pay land-revenue.

373. YEBGO IFTIKHAR ALI KHAN : Can the Education Department raise the Middle school at Askardu to a High school? What I mean by a High school is that education in high classes also be imparted at Askardu and that in order to appear in the matriculation examination the students should come to Srinagar accompanied by some Muslim and that they should receive scholarships there as usual. In this way there can be a good deal of saving in scholarship fund of the Government and the students can receive education at their home?

THE HON'BLE MR. WAJAHAT HUSSAIN : The Middle school cannot be raised to the status of a High school at present.

374. PANDIT JIA LAL KILAM : Will the Government please state :—

(*a*) If the attention of the Government has been drawn to the remark of the Hon'ble President which runs as follows :—

"They (industries of the countries) would not have deteriorated if the Department (Industries Department) had not been existing" and which is published on page 75 of the Official Report Volume I, pertaining to the first session of the Jammu and Kashmir Praja Sabha.

(*b*) What steps have the Government taken in effecting improvements in the department which according to the remark referred to in part (*a*) is responsible for the deterioration of our industries?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The member has obviously missed the sign of interrogation at the end of the observation of the Praja Sabha Pramukh. The Pramukh made that observation as a querry indicating that such appeared to be the opinion of the member and not as a statement.

(*b*) This does not arise.

375. PANDIT GOBIND RAM KABU : Will the Government please state how many schools, Pathshalas and Maktabs have applied for aid during the last three years?

How many of these applications in each case were rejected and

how many accepted? Will the Government please take steps to allot grants to all those new schools, Pathshalas and Maktabs that fulfil the conditions of grants-in-aid?

THE HON'BLE MR WAJAHAT HUSSAIN : No record of such applications is maintained. New schools will be given aid under rules if they apply for it.

376. SARDAR KANHAYA SINGH : Will Government please state how can the poor zamindars save themselves when the Jagirdars exercise great influence in their Illaqas and when the Government have appointed them as Zaildars also?

Will Government give consideration to the fact that the same persons should not at once be Jagirdar and Zaildar because under such circumstances the zamindars are at the mercy of the Jagirdars and it is a menace to their self-respect?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : 1*st part*.—The question is not clear. Under Zaildari Rules, personal influence along with character, ability, freedom from debts etc., is an important requisite and if a Jagirdar happens to satisfy the requisite qualifications there is nothing wrong in his being appointed as a Zaildar. It is not understood how such an appointment is a menace to the zamindars nor has any complaint been brought to notice.

2nd part.—Does not arise.

377. WAZIR GANGA RAM : (*a*) Are Government aware that at the time of making appointments in a district the rights of the inhabitants of the district cannot be safeguarded for this reason that recommendations are not invited from local officers?

(*b*) If the reply be in the affirmative, will Government please issue orders to the effect that in future the reports of the local officers in respect of deserving persons be taken into consideration at the time of making appointments?

CAPTAIN KANWAR HIRA SINGH (On behalf of the Hon'ble Prime Minister) : The procedure prescribed in paragraph 7 page 21 of the Glancy Commission Report is being duly observed in making local appointments and Government do not consider any change in the procedure called for.

(*b*) Does not arise.

378. *Information promised in reply to question No. 730 (Q. D. No. 753) asked on 7th April* 1936 *by* :—

MALIK GHULAM HUSSAIN (State Councillor) : Will Government please enquire from all officers concerned in the Southern Wazarat as to how many of them personally gave intimations or directions regarding the date of appearance and to how many such parties, and how many such parties were supplied intimation by Moharrirs?

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM : On enquiry it has been found that all the presiding officers of the

courts in the Southern Wazarat personally give intimation of the date to the parties

BUDGET QUESTIONS.

1. LALA SHIV NATH NANDA : In the Budget 32 posts of Deputy and Assistant Conservators of Forests have been entered under the head Forest expenditure, while the number of Divisions is 22. Similarly the number of Forest Rangers has been shown as 90 and the grades of the Forest Rangers 60-80-100-125-150-200.

Is it a fact that in 1974 the grades of the salaries of the Forest Rangers were from 60-125? If it is correct, will it be stated as to what is the reason for the increment under the present circumstances when the income is less than it was in 1974 inspite of the fact that the forests of Langet and Bhadarwah have also been included? And cannot under these circumstances the number of the Deputy and Assistant Conservators of Forests be fixed according to the number of Divisions and similarly the number of Rangers according to the number of Ranges?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The grade of pay of Rangers in 1974 was 60-125.

2. The grades were revised in 1984 under the re-organization scheme for the development of the forests. The object was to improve the Ranger's service by appointing men with the Dehra Dun Ranger's certificate direct to the 5th grade, thus offering them almost as good terms as in the Punjab. If this branch of the service is developed as it should do it should be adequately paid.

3. This is not a fact that the revenue of the Forest Department is less now than it was in 1974 as is evident from the following statement :—

1974.	1993-94.
Rs. 33,63,122	Rs. 49,00,000

4. The number of Ranges is 78. Rangers attached for Working plans and Research work are 9. Forest prosecution and special duty 3. Total 90.

As regards the extra 10 Assistant Conservators of Forests every important Division requires an attached officer to carry out markings and other special works in the Division. It may be pointed out that development of the forests naturally implies increase in out-turn, marking operations etc., and therefore needs increase in the number of supervising and inspecting officers also. It is in the interest of efficient and better working to ensure closer and better supervision. It is not advisable to grudge this item of expenditure. The statement below gives the comparison of the quantities worked in 1974 and 1991-92 to show the enormous increase in work.

NOTE.—Figures for 1992-93 are not available yet, hence those for 1991-92 are given.

	Timber.	Firewood.	Minor Forest Product.	Kuth.
	cft.	cft.	Rs.	Rs.
1974...	92,66,045	11,84,461	86,880	3,16,441
1991-92...	2,26,68,248	2,34,17,821	2,12,861	3,83,530

2. LALA SHIV NATH NANDA : If the amount which has been as the income from the Electrical Department has been worked out after deducting the interest and depreciation the amount of depreciation and interest may be stated?

THE HON'BLE MR. WAJAHAT HUSSAIN : (1) No.

(2) Depreciation Rs. 51,966.

(3) Interest Rs. 2,07,002.

3. LALA SHIV NATH NANDA : Has the income of the Sericulture Department as shown in the Budget of 1993-94 been worked out after deducting the amount of interest and depreciation. If so, then the amount of interest and the amount of depreciation may be stated?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : *Part I.*—No.

Part II.—Does not arise.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : (Addressing the Hon'ble Revenue Minister) I do not quite understand it. Has not the amount of interest and depreciation been worked out of the Sericulture Department?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : No.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : (To Lala Shiv Nath Nanda) All-right, it will be replied later on and you will be informed of it.

MR. JAGAT PARSHAD, C. I. E. (Accountant General) : The depreciation of Sericulture for Srinagar is Rs 64,000 and for Jammu is Rs. 4,000. This account is maintained on commercial lines and profit and loss account is prepared at the end of the year. The profit and loss account for the year 1992-93 has been prepared. These figures are not shown in the budget.

LALA SHIV NATH NANDA : Has it been shown in the budget of 1991-92?

MR. JAGAT PARSHAD, C. I. E. (Accountant General) : Profit and loss account is separately prepared and it cannot be shown in the budget. Only income and expenditure is shown in the budget.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : (To Mr. Nanda) Well you will be informed.

LALA SHIV NATH NANDA : When we prepare our account we show interest etc. in it.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : He says that the only income and expenditure is shown in the budget

and profit and loss account is separately prepared.

The Accountant General has promised to supply the figures.

BUDGET RESOLUTIONS.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : First resolution ! Sardar Budh Singh.

VOICES : The member is absent.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The resolution will be considered to have been withdrawn under rule 72 (2). The member is absent.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Second resolution ! Sheikh Mohammed Amin. (absent)

The resolution will be considered to have been withdrawn under rule 72 (2). The member is absent.

Third resolution ! Mirza M. A. Beg.

The resolution will be considered to have been withdrawn under rule 72 (2). The member is absent.

RESOLUTION NO 4 OF WAZIR MOHAMMED KHAN.

NOTE.—The Assistant Secretary read out the following resolution of Wazir Mohammed Khan .—

"This Praja Sabha recommends to the Council that Rs. 12,000 be provided in the budget for changiag the streams and Nullahs of Astore into Kuhls so that the uncultivated part of the Illaqa may be cultivated and thus both the Ruler and the ruled may be benefited".

WAZIR MOHAMMED KHAN : As the Hon'ble Revenue Minister has promised to make a further provision of Rs. 5,000, therefore I want to withdraw my resolution.

THE HON'BLE MR. WAJAHAT HUSSAIN : It would have been better if the Hon'ble Revenue Minister had informed the House as to how the assurance has been given to the member.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : A sum of Rs. 800 has already been provided for repairing the Kuhls in Illaqa Astore. But since a great stress has been laid for making more provision on account of special local conditions and as it has been stated that a larger amount will be required for this purpose in Illaqa Lorang, therefore I thought that it would be better to provide Rs. 6,000 instead of Rs. 800 for this purpose, and therefore I assure that Rs. 6,000 will be provided in budget for this work.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The resolution is withdrawn with the permission of the House on the assurance given by the Hon'ble Revenue Minister.

Since there is no other work today, therefore there will be no afternoon sitting at 2 P. M. and we we will meet again on Saturday.

NOTE.—The members being absent, the remaining six resolutions for this day were also considered to have been withdrawn under rule 72 (2).

The Praja Sabha then adjourned till Saturday, the 17th October 1936.

JAMMU AND KASHMIR PRAJA SABHA.

Saturday, the $\frac{\textit{17th October 1936.}}{\textit{2nd Katik 1993.}}$

The Praja Sabha met in the Praja Sabha Chambers at Rajgarh Palaces at Eleven of the Clock. Mr. President (The Hon'ble Sir Barjor Dalal Kt.) in the Chair.

The Secretary Praja Sabha presented Khan Sahib Mirza Ghulam Mustafa before the Hon'ble President and he took the prescribed oath of allegiance.

QUESTIONS FOR ORAL ANSWERS.

379. SARDAR BUDH SINGH : Is it a fact that grazing fee is charged in the State also on the cattle entering into the State territories for grazing purposes from Illaqa Poonch, Bagh, etc?

(*b*) If the answer be in the affirmative, why are they subjected to this double levy when the grazing fee is once charged in Illaqa Poonch and when the cattle of the villages of Jammu and Kashmir State permanently assessed to the grazing tax are not liable to this levy in the downs?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Yes.

(*b*) Poonch is a jurisdictional Illaqa having its own independent resources and budget. The zamindars of the Illaqa cannot be exempted from paying for the grazing facilities enjoyed by them in the parent State. Even the cattle of the Jammu and Kashmir Provinces, though assessed to fixed grazing tax, become liable for extra levy of grazing fee on migrating from their own to the other Province and as such the cattle of the Poonch Illaqa, cannot be exempted from grazing fee charge on them for grazing in State pastures.

SARDAR BUDH SINGH : Is the Kahcharai fee recovered from the Poonch public at full rate, half rate or one-third of it? They have to pay this fee at two places.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The Kahcharai fee is received under the Kahcharai Rules.

380. KHAWAJA ALI MOHAMMAD : (*a*) Is it a fact that the Government has curtailed the joining time for office move to 3 days only?

(*b*) Are Government aware that it is impossible for an employee with a family to make preparation for journey and to secure seat in a lorry within three days?

(*c*) Will Government revise this order, and resort to the pre-

vious practice? If not, why?

CAPTAIN KANWAR HIRA SINGH : (*a*) No.

(*b*) Does not arise.

(*c*) Does not arise.

381. LALA RAM LAL : (*a*) Is it a fact that ground-rent is realized from those people in Chenani Jagir whose holdings are not in any way connected with the Khalsa lands?

(*b*) If the answer to (*a*) be in the affirmative, the reasons for it may please be stated? If the answer to (*a*) be in the negative, then, are Kashmir Government prepared to appoint a Commission to enquire into this grievance? If not, the reason for it may please be stated?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) No; not on holdings not in any way connected with Khalsa lands.

(*b*) This is not an unusual charge and so the appointment of a Commission is not warranted.

382. KHAWAJA ALI MOHAMMAD : (*a*) Will Government please state the number of Head Clerks in the office of the Hon'ble Judicial Minister and the High Court of Judicature? How many amongst them are Muslims and how many non-Muslims?

(*b*) Is it a fact that in spite of the deplorable paucity of the Muslims in the above offices, a non-Muslim has been appointed to the post of Head Clerk that fell vacant by the appointment of Pandit Sri Kanth Dhar, as Sub-Registrar? If it is a fact why and on what grounds it has been done?

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM : (*a*) There are 4 Head Clerks in the High Court and 2 in the office of the Judicial Minister. In the High Court all Head Clerks are Hindus and in the office of the Judicial Minister one is a Hindu and one a Mohammadan. As regards (*b*) there was no Mohammadan in the High Court office who could do the work of a Head Clerk so a senior Hindu was appointed.

KHAWAJA ALI MOHAMMAD : Are Muslims given no chance in these offices, in view of their paucity?

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM : This cannot be done if they are not at all fit for work. It can be possible only when there is a slight deficiency.

MIAN AHMED YAR : Why was not a man appointed direct to the post?

SARDAR KANHAYA SINGH : My submission is, Sir, that there is a deplorable paucity of Sikhs also in that office. Why has not a Sikh been appointed to this post? (Laughter)

MIAN AHMED YAR : The original supplementary question is that if there was no capable Muslim in the office, why was not a man appointed direct?

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM :

The post was advertized according to the prevailing practice. Applications were received and the best man appointed. All applications were considered.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : I think this was a temporary appointment and nobody has complained.

SARDAR KANHAYA SINGH : Will the deplorable deficiency of the Sikhs be made up?

THE HON'BLE KHAN BAHADUR SHEIKH ABDUL QAYOOM : Yes, the matter will be considered.

383. SARDAR BUDH SINGH : (*a*) Is it a fact that an export duty is levied in Poonch on the cattle of the villages of Illaqa Poonch sold to the zamindars of Kashmir State?

(*b*) If the answer be in the affirmative, why such a duty is charged when Illaqa Poonch forms part of the Jammu and Kashmir State?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Yes.

(*b*) This right has been exercised by the Poonch Administration from the very time that the Customs duty was enforced and is not a new thing. For purposes of revenue, the Illaqa is a separate unit.

SARDAR BUDH SINGH : My question is as no tax is imposed on cattle which move from one Illaqa to another in the State, why should this be the case in Poonch, which is governed by the same laws and rules as are in force in the State itself. I mean to say that this right which is enjoyed by the Poonch Government is based on injustice.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : When is the export duty levied?

MAJOR-GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : When the cattle are imported from Poonch into the State.

SARDAR BUDH SINGH : My submission is as no tax is levied on cattle which move from one place to another in the State, or are imported into the State from Chenani, why should this be the case in Poonch?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : It involves a complex problem of Customs, which is under consideration.

384. SARDAR BUDH SINGH : (*a*) Is it a fact that an enumeration is made of the cattle migrated for grazing within the Kashmir State territories and on their return if there takes place a fall in number on account of natural deaths or loss caused by revenous beasts the zamindars are harassed at the customs posts and considerable money is extorted from them and they are called upon to substantiate as to how the cattle were killed or lost?

(*b*) If the answer be in the affirmative, why should not such

practice followed by the customs posts of Illaqa Poonch be discontinued when no such explanation is demanded on the return of cattle from *dhars* and margs in the Jammu and Kashmir State?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Yes, so far as the question of enumeration goes which is simply done to see whether any number has not been sold outside the Illaqa. No duty is charged for the cattle which die outside the Illaqa and are not brought back No zamindar is harassed nor is any money extorted from him as stated in the question but of course he has to satisfy the Customs authority about the death of the cattle as alleged by him.

(*b*) In view of the answer (*a*) above, the question does not arise.

SARDAR BUDH SINGH : Are not the zamindars put to trouble in so satisfying the Customs authorities?

MAJOR-GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : Yes, they are put to some trouble.

385. KHAWAJA ALI MOHAMMAD : (*a*) Are Government aware that B. Ali Mohammad compounder has been transferred to Astore?

(*b*) Are the departmental orders to the effect that senior compounders only should be sent to such Illaqas?

(*c*) If the reply be in the affirmative, will Government please state whether B. Ali Mohammad will be considered senior for the purposes of future promotions? If not, why?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) Yes.

(*b*) Compounders are transferred to the Frontier according to the Roster.

(*c*) Promotions are made in accordance with Regulations?

KHAWAJA ALI MOHAMMAD : Is there any standing order in the department which requires the deputation of senior compounders only to that place?

THE HON'BLE MR. WAJAHAT HUSSAIN : I have stated in the reply that they are transferred according to the Roster.

386. MIRZA M. A. BEG : (*a*) Are Government aware that after the 'Niabat' was removed from Doru-Anantnag, crimes have increased in that Illaqa?

(*b*) Will the Hon'ble Revenue Minister please consider the question of re-establishing, 'Niabat' there, in the near future?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : There has been no appreciable increase in crimes since Niabat has been removed from Doru.

Re-establishment of Niabat at Doru is not warranted by facts and figures.

387. KHAWAJA ALI MOHAMMAD : (*a*) Will the Hon'ble Finance Minister in connection with question No. 393

(Q. D. No. 339) of 26th March 1936 please supply the information after consulting the records of Srinagar Municipality that during the years 1934 and 1935, how many cases of the infringement of Municipal rules have been lodged against Muslims and how many against Kashmiri Pandits?

(*b*) What is the amount of average fine inflicted on both these communities?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : (*a*) and (*b*) Khiiafwarzi registers are not maintained according to communities and the labour and expense involved in compiling this information would not be justified by results.

388. SARDAR BUDH SINGH : (*a*) Will Government please state how many times during the last ten years did the Wazir Poonch inspect the roads, bridges and other works of public utility by touring throughout the Poonch Illaqa?

(*b*) Is it a fact that from Poonch proper to Bagh via Atolipir and thence Bagh to Kohala within a distance of nearly 70 miles there is no bridge over the Nullahs and the travellers have to suffer great loss and hardship in crossing them?

(*c*) If the answer be in the affirmative, is it not the duty of the Government to construct so long as motor road is not ready, a road at least six or seven feet wide for the pack and riding horses by constructing a bridge?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Tour throughout the Illaqa at one time is not possible. At any one time only a part can be visited. There have been fifteen long tours, and many small ones to inspect special works of bridges and roads going on.

(*b*) Yes, but the absence of bridges on such Nullahs does not cause any difficulty to travellers except in the rainy season and that too for a few hours at a time. The path-way between Poonch and Kohala *via* Atolipir is fit for pedestrians. Riding and pack-animals can also pass this way. The path-way is generally kept under repairs. A temporary rope bridge is set up on Betar.

(*c*) In view of the answer to (*b*), the question does not arise.

SARDAR BUDH SINGH : Were any lives lost in Nullah Sadoti and Nullah Poonch? Last year it was stated that twenty-six lives have been lost. It has now been stated that no inconvenience is caused for want of a bridge.

WAZIR FEROZ CHAND : Lives are lost even where there are bridges, because the zamindars do not often take the trouble of going to the bridge and try to cross by a shorter route.

SARDAR BUDH SINGH : It has been stated in reply to part (*b*) that difficulty is caused to the people in the rainy season for a few

hours only. May I know whether the difficulty is for a few hours only or for two and a half months in the rainy season, because the season lasts for two and a half months?

WAZIR FEROZ CHAND : There is difficulty for a few hours only, that is when it rains.

SARDAR BUDH SINGH : The rainy season lasts for two and a half months and you say that the difficulty lasts for a few hours only. I travelled myself and was carried away in the flood.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : No, no. You have not been carried away yet. (Laughter)

389. MIRZA M. A. BEG : Are Government aware of the fact that on account of bad condition of the Anantnag-Verinag-Gulab Singh road, the trade and agriculture of Anantnag and the intervening Illaqas are adversely affected?

(*b*) Was any amount of money sanctioned for this road?

(*c*) Was the bad condition of this road brought to the notice of the Hon'ble Prime Minister at the time when he was on tour in Tehsil Anantnag?

(*d*) If the answer be in the affirmative, will Government please state as to when its construction will be taken in hand?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) Yes.

(*b*) No.

(*c*) Yes.

(*d*) Its construction will be taken in hand after the demand for more urgent works has been satisfied.

MIRZA M. A. BEG : Does the Hon'ble Home Minister know that part (*b*) was replied some time back in the affirmative. If he does, how does he account for this contradiction?

THE HON'BLE MR. WAJAHAT HUSSAIN : I am afraid, I do not remember it.

MIRZA M. A. BEG : Will you see it kindly?

THE HON'BLE MR. WAJAHAT HUSSAIN : Yes.

390. SARDAR FATEH MOHAMMAD KHAN : (*a*) Is it a fact that on demand made by the Shia community the late Shri Raja Sukh Dev Singh Sahib Bahadur granted by an Irshad dated 22nd May 1926, one thousand rupees cash and a Kacha building of the Mistri Khana for the Imam Bara?

(*b*) If the answer to the above question be in the affirmative, it may please be stated as to why the possession of Mistri Khana has not been delivered to the Shia community as yet?

(*c*) Will the Poonch authorities be kind enough to make over, in deference to the Irshad of the late Shri Raja Sukh Dev Singh Ji Bahadur, the possession of the building of the Mistri Khana to the Shia community, or state reasons for not doing so?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Yes.

(*b*) and (*c*) As the Hindus and Sunni Mohammadans who far

out number the Shias protested against the grant of Mistri Khana, an Illaqa building, for Imam Bara as it was situated in the town at a site surrounded by Hindus and Sunni Mohammadans, the late Raja Sukh Dev Singh, on review of his previous order ordered that the Shias be given some other plot of land where no Illaqa building existed.

SARDAR FATEH MOHAMMAD KHAN : Was any other plot of land given to the Shias, as ordered by the Raja Sahib?

WAZIR FEROZ CHAND : The file is with the Chief Revenue Officer and a plot of land will be given.

391. PANDIT RAM CHANDRA DOBEY : In Kathua District, Basantpur channel, a distributary from the river Rawi, remains closed after the 15th Assuj for the whole winter, and consequently it does not irrigate the fields for Rabi crop.

Will Government please remit the wad-water crop (*abiana*) which is charged for such crops.

THE HON'BLE MR. WAJAHAT HUSSAIN : In Kathua rice is sown in the beginning of Jeth and the crop matures by the end of Bhadon. Fields are irrigated in Assuj chiefly for preparing these for Rabi. *Abiana* is therefore properly leviable.

PANDIT RAM CHANDRA DOBEY : My question was that as the canal is closed in Assuj and there is no irrigation at all, why is *abiana* charged?

THE HON'BLE MR. WAJAHAT HUSSAIN : As the canal is closed on the 15th Assuj, fields are irrigated in Assuj also, and therefore *abiana* for that month also is charged.

392. MIRZA M A. BEG : (*a*) Is it a fact that on the occasion of Amarnath fair there are no contracts granted for the arrangements of supplying fresh milk?

(*b*) Is it a fact that on such occasions, through Zaildars, bonds are got executed by Lambardars and Gujars to supply milk?

(*c*) Is it also a fact that Gujars of Wel, Nagbal, Ladrut, etc., are forced to bring milk from places situate at a distance of six paraos?

(*d*) Do the concerned officers know that as the milk is brought from distant places it is spoiled, and when it becomes unfit for use at the parao, it has to be sold either to the Halwais on a nominal price or it has to be thrown away?

(*e*) If the officers are not aware of the fact, will the Hon'ble Minister concerned please make inquiry?

(*f*) Will the arrangements for the supply of fresh milk on the occasion of Amarnath fair be made under contract system?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Yes. Supply is taken from Gujars direct.

(*b*) Yes. Zaildars and Lambardars arrange supply by Gujars themselves on payment of cash and decent rates.

(*c*) No. Cattle of these villages graze in grounds between Pahalgam and Amarnath in summer.

(*d*) No. This does not happen.

(*e*) Does not arise.

(*f*) The present arrangement of supply from Gujars direct is more suitable and is working well. If complaints are received from Gujars and it is found that they are dissatisfied with the present arrangement, contract system can be resorted to.

MIRZA M. A BEG : How has the Hon'ble Revenue Minister enquired that they are getting prices in cash and at decent rates? Did he make the inquiry himself or enquired of the officers?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : I have been going there myself as Director of Land Records, and am therefore personally aware of it.

MIRZA M. A. BEG : It means that the rates were decent when he used to go there, but he can say nothing about this year.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You contest the answer given by him. You want a different answer. This is an argument.

MIRZA M. A BEG : My submission was how the Hon'ble Minister knows that there was no complaint. He says six years back he used to go there.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : A report was called from the Governor and Wazir Wazarat this time also and this reply was given.

MIRZA M. A. BEG : Have they quoted decent rates or this is your own opinion?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : This is a cross-question.

393. PANDIT RAM CHANDRA DOBEY : The proposal for opening a "Rescue Home" in Jammu Town has been before the Government for the last two years. The scheme for sanction is under consideration with the higher authorities for more than one year. Will Government please sanction the scheme immediately and start it in the current year?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The matter is receiving the consideration of Government.

There has been some delay over this question but Government will take up the question now immediately.

394. SARDAR FATEH MOHAMMED KHAN : Is it a fact that :—

(*a*) In reply to an address by the Shia community on 9th Sawan 1990, Shri Raja Bahadur recognizing the loyal services of the Shia community promised to grant them land?

(*b*) Is it also a fact that those who during the days of disturbances helped in quelling them down have been

granted rewards and that in this connection nothing has been awarded to the Shia community?

(*c*) If the answer to the above parts be in the affirmative, it may please be stated as to why Shia community has been deprived of rewards or grant of land?

Are the Poonch authorities now prepared to grant this community land from the Shilkargahs thrown open? If not, why?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) No such promise was ever made. However Raja Sahib announced that he would consider their claims.

(*b*) Yes ; the rewards have been granted only to those persons who rendered faithful services irrespective of caste or creed, and not to communities.

(*c*) In view of (*b*) above, this question does not arise.

SARDAR FATEH MOHAMMAD KHAN : My question is why has the Shia community been deprived?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : He says the matter will be inquired into.

SARDAR FATEH MOHAMMAD KHAN : The reply states that Raja Sahib has directed the services to be duly considered. I want to know whether they have been considered or they will be considered.

WAZIR FEROZ CHAND : They have been considered.

SARDAR FATEH MOHAMMAD KHAN : If services have been considered, why has the Shia community been deprived then?

WAZIR FEROZ CHAND : There is no question of caste or creed in this.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : He says there is no question of caste or creed.

395. MIRZA M. A. BEG : (*a*) Is it a fact that no furniture is provided in the Girls school at Salar-Anantnag?

If it is provided, the details thereof may please be stated?

(*b*) Which officers have inspected this school since its establishment upto this time?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) Yes, but arrangements are being made.

(*b*) Chief Inspectress of Girls schools.

396. MIAN AHMED YAR : Will the Hon'ble Revenue Minister please state :—

(*a*) What is the total number of Wazirs Wazarat?

(*b*) How many and which of them are permanent and how many and which of them are temporary?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Ten.

(*b*) Permanent six :—

1. Pandit Ram Rattan.
2. Pandit Balkak Dhar.

3. Raikumar Padamdev Singhji
4. Pandit Maharaj Kishan Dhar.
5. Thakur Dhruv Singh.
6. Kotwal Tej Ram.

S. P. T. four—

1. Rao Rattan Singh.
2. S. Mohammad Akram Khan.
3. Choudhari Faiz Ullah Khan.
4. Khan Sahib Raja Ali Gohar Khan.

397. PANDIT GOBIND RAM KABU : Has the attention of the Government been drawn to a Pathshala started at Baramulla some time back? Has this Pathshala applied for grant-in-aid?

What steps has the Government taken towards sanctioning grant to this institution?

THE HON'BLE MR. WAJAHAT HUSSAIN : Yes, but no Pathshala allowance is vacant at present.

PANDIT GOBIND RAM KABU : How does the Pathshala allowance fall vacant?

THE HON'BLE MR. WAJAHAT HUSSAIN : When a Pathshala is closed.

398. SARDAR FATEH MOHAMMED KHAN : (*a*) Is it a fact that no customs duty was charged during the past years for the import of grain and that now customs duty is charged at the rate of four annas per maund?

(*b*) Is it a fact that throughout Poonch grain is dearer now as compared with the last four years?

(*c*) If the answer to the above parts be in the affirmative, it may please be stated as to what precautionary measures have been adopted by the Poonch authorities against famine and whether under such circumstances, they are prepared to abolish customs duty to protect the poor subjects?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Yes. Since Bhadon 1992 when the Customs Tariff was amended so as to conform to State Tariff, the duty on maize etc. has been ordered to be charged at -/4/- per maund.

(*b*) and (*c*) No. However in view of the paucity of the yield in Tehsil Sudhnuti and western part of Bagh, duty on import of grain has been remitted.

SARDAR FATEH MOHAMMAD KHAN : Does the Government know that two Tehsils import corn from the State?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : This is a new question.

SARDAR FATEH MOHAMMAD KHAN : My submission is why is customs duty not remitted where there is scarcity of corn.

WAZIR FEROZ CHAND : No official report has been received.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : He

says he will call for a report.

SARDAR FATEH MOHAMMAD KHAN : : Will a report be called for?

WAZIR FEROZ CHAND :There is no question of calling for a report. The officers know themselves and send a report. It is on their report that remissions are granted.

399. WAZIR GANGA RAM : (*a*) Are Government aware that there are sacred places of both Hindus and Muslims at "Ghar of Jitto" and in village Chamba, Tehsil Reasi, and fairs are held at both the places once a year which are attended by both men and women and most of the people get dead drunk and take to immoral deeds?

(*b*) If the answer to (*a*) be in the affirmative, will Government prohibit the use of wine for both these communities?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : (*a*) Government have no information about people getting dead drunk and taking to immoral deeds at the places named by the Praja Sabha Sad.

(*b*) The Excise Department does not issue any special license for sale of liquor at religious fairs and if people take to drinking and immorality it is for the leaders of public opinion to dissuade them.

400. MIAN AHMED YAR : Will the Hon'ble Revenue Minister in order to make good the proportionate representation among Wazirs Wazarat, of Muslims according to their population, please appoint Wazirs Wazarat, Mirza Ghulam Jilani and Raja Mohammad Sarwar Khan who have been given revenue training at Government expenses?

NOTE.—The question is withdrawn with the permission of the members of the House.

401. WAZIR GANGA RAM : (*a*) Are Government aware that the medicines supplied to dispensaries in the Mufassil are not sufficient for the whole year?

(*b*) If the answer be in the affirmative, will Government please remove this difficulty? If not, why not?

NOTE.—The question is withdrawn with the permission of the House.

402. PANDIT RAM CHANDRA DOBEY : In the last Praja Sabha session the resolution, regarding the Shikargahs preserved after the regular Settlement, was passed that zamindars are suffering great loss on account of damage caused to their crops in the lands adjacent to these Shikargahs and that after enquiry proper compensation may be paid to them and that land-revenue may be reduced.

Will Government please inform the House in detail about the action taken on this resolution?

NOTE.—The question is withdrawn with the permission of the House.

403. WAZIR GANGA RAM : Will Government please state as to how many patients suffering from contagious diseases were treated last year in the travelling dispensary of Jammu Province, and how many of them recovered and what annual expenditure was

incurred by the Government on this dispensary?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) 618.

(*b*) Cannot be supplied as outdoor patients do not attend the hospital regularly.

(*c*) Rs. 4,679.

404. MIAN AHMED YAR : Will the Hon'ble Revenue Minister please state why all the Muslim Wazirs Wazarat have been posted in the districts lying on the Jhelum Valley Road and the Banihal Cart Road?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Postings are generally made in the interest of administration.

MIAN AHMED YAR : This is for the sake of propaganda. People come from outside.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Can you carry on the propaganda alone?

405. YEBGO IFTIKHAR ALI KHAN : Can the Education Department raise the Primary School at Khaplu to a Middle School, since the population of Illaqa Khaplu is larger than the other Illaqas and the students also are very fond of receiving education, but after passing the primary examination, they are compelled to give up education partly on account of poverty and partly on account of the Middle School being situated at a distance from their homes?

THE HON'BLE MR. WAJAHAT HUSSAIN : The question will be referred to the Education Standing Committee.

406. SARDAR FATEH MOHAMMAD KHAN : (*a*) Will Government please state what was the age and the period of service of Dr. Gauri Shanker, retired Sub-Assistant Surgeon, at the time of his retirement?

(*b*) Is it a fact that the posts held by B. Salig Ram and Munshi Nand Ram having been retrenched, they were retired on full pension and that Thakur Sohan Singh, Naib-Tehsildar, in spite of his having served for a short period has been retired on full pension?

(*c*) If from the reply to part (*a*) of the question the age and service of the said doctor is found to be less and from part (*b*) of the question it appears that the above stated employees were granted concession, will Poonch authorities do justice by granting full pension in favour of the said doctor also?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Dr. Gauri Shanker's age at the time of retirement was 50 years 6 months and 16 days and his service 19 years 4 months and 29 days.

(*b*) As already intimated in reply to Q. D. No. 247 day before yesterday, posts held by L. Salig Ram and M. Nand Ram were retrenched and they were retired on full pension. L. Salig Ram's total period of service including minority service was 28 years

and 3 months and it was because of counting his period of minority towards qualifying service that he was given full pension. M. Nand Ram was given full pension by condoning deficiency of two years as a special case Thakur Sohan Singh's total service at the time of retirement was 29 years 11 months and 17 days. It was by condoning interruptions in his service that he was allowed full pension for qualifying service of 26 years 8 months and 4 days.

(*c*) Since the period of deficiency in Dr. Gauri Shanker's qualifying service is much longer the concession cannot be granted.

MAJOR-GENERAL RAO BAHADUR THAKUR KARTAR SINGH JI : Hours and minutes have not been recorded. (Laughter)

LALA RAM LAL : Has full pension been given to Dr. Gauri Shanker, who has been brought under reduction? Those who are retrenched are given full pension?

WAZIR FEROZ CHAND : All have not been given.

LALA RAM LAL : L. Salig Ram was brought under reduction and was given full pension.

WAZIR FEROZ CHAND : That is a special case.

SARDAR BUDH SINGH : Is childhood also included in the period of service? (Laughter)

407. MIAN AHMED YAR : Will the Hon'ble Education Minister please state what is the total number of High Schools and Colleges in the State, what is the number of students in the high department of the girls and boys' High Schools separately, what is the number of students in Colleges ; how many girl and boy students have passed the Matriculation Examination during the last five years and what amount has been remitted to the Punjab University as admission fee for the Matriculation Examination during each of these five years? Keeping these figures in view, why has not a University been set up in the State so far?

THE HON'BLE MR. WAJAHAT HUSSAIN : The required information is given below :—

Particulars.	Number of Colleges.	Number of boy students.	Number of girl students.
Colleges ...	2	1,461	.....
High Schools...	22	3,502 (High Department only).	73 (High Department only).

During the last five years, 3,249 boy students and 62 girls came out successful in the Matriculation Examination, and the total

amount of admission fee realized by the University was Rs. 93,732.

The cost of University, certificates of which will be recognized by every other University, will be very expensive.

MIAN AHMED YAR : Can the estimated expenditure be stated?

THE HON'BLE MR. WAJAHAT HUSSAIN : It is so much that we have not made any estimate.

408. LALA HANS RAJ : (*a*) Are Government aware that in accordance with the law relating to the exemption of lands from auction, all proceedings relating to auction which were going on before its enforcement have been stayed, in spite of the fact that the law cannot have retrospective effect?

(*b*) If the answer be in the affirmative, will Government please issue orders for recontinuing the auction proceedings that were already going on?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The member Praja Sabha has not mentioned the law he refers to. If he means the Civil Procedure and Alienation of Land Regulation amendment Regulations No. 3 and 4 of 1993, the reply is as follows :—

(*a*) *1st part.*—Yes.

2nd part.—This was done in accordance with Amendment Regulation (Civil Procedure Code) No. 3 of 1993 and Amendment Regulation (Land Alienation Regulation) No. 4 of 1993 published in the Government Gazette of 9th Jeth 1993. As lands, although attached before the enforcement of these Regulations could not be auctioned after their enforcement, proceedings relating to auction had to be stayed *ipso facto*. Transfers completed before the enforcement of these Regulations were in no way affected and as such the question of retrospective effect does not arise.

(*b*) In face of reply to (*a*) above, this part of the question does not arise.

409. WAZIR GANGA RAM : Last year, in answer to my question No. 522 (Q. D. No. 517) asked on 30th March 1936, the Hon'ble Home Minister promised to provide funds in the budget for starting a Middle School at Budhal, Tehsil Rajouri. Will Government please state whether funds have been provided in the budget for this purpose? If not, why not?

THE HON'BLE MR. WAJAHAT HUSSAIN : My promise was for the consideration of the demand for opening a Middle School at Budhal. In view of the more urgent claims of other places, the demand of Budhal was not accepted.

410. PANDIT GOBIND RAM KABU : (*a*) Will the Government please state whether its attention has been drawn to the fact that in some provinces of British India, grants of agricultural lands have

been made to duly qualified educated youngmen? Will the Government also consider a similar scheme of alloting lands to those educated youngmen who would like to be professional farmers?

(*b*) Does not the Government think that such a step would (*i*) alleviate, to some extent at least, the educated unemployment, (*ii*) raise the status of farming and (*iii*) create model farms for improvement in the art of agriculture, in which at present age, old methods are being used and the introduction of scientific improvement is hampered due to the fact that farmers are almost cent. per cent. uneducated?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) The Government is aware that in some places in British India this is being done. A similar scheme is under the consideration of the Government.

(*b*) Yes.

411. HAJI AHMEDULLAH SHAHDAD : In reply to question No. 481 (Q. D. No 579) asked on 27th March 1936 and question No. 610 asked on 4th April 1936, the Hon'ble Finance Minister stated that for the convenience of the public, two parks in each ward of the Srinagar city would be set up. Will the Hon'ble Finance Minister please state how many parks have been set up this year and in what ward? If not, why not?

THE HON'BLE RAO BAHADUR THAKUR KARTAR SINGH JI : Proceedings regarding acquisition of land for 3 parks in the city are going on in the Court of the Collector. Parks will be opened as soon as possession is taken.

412. PANDIT JIA LAL KILAM : (*a*) Will the Government please refer to the answer to the question No. 223 published on page 343 of the Official Report Volume 2nd pertaining to the first session of the Jammu and Kashmir Praja Sabha and state as to when a person of "larger business and technical experience" will be appointed as a Director of Industries?

(*b*) Does the Government believe that the industries of the country will ever improve under the guidance of a person who lacks in "larger business and technical experience" as the present Deputy Director of Industries? If not, when is the Government going to make the appointment of a Director with "larger business and technical experience"?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) The question of appointing a Director of Industries in receiving due consideration.

(*b*) Very soon.

PANDIT JIA LAL KILAM : Has provision been made for it in the budget.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM :

No.

413. PANDIT GOBIND RAM KABU : Will the Government please state whether it is a fact that the Baramulla bridge over the river Jhelum has been declared unsafe? Is it also a fact that requests have been made from year to year in the Praja Sabha and outside to construct a strong bridge fit for wheeled traffic? Will the Government please take up this question and instead of wasting large amounts on its repairs, as has been done in the past, take steps to construct a strong new bridge?

THE HON'BLE MR. WAJAHAT HUSSAIN : The bridge has been declared unsafe for all except pedestrians. It is necessary to replace the bridge. The Divisional Engineer has been asked to submit an estimate.

414. LALA HANS RAJ : (*a*) Is it a fact that a sum of Rs. 6-12-0 is realized as fee for the Gharats at Janganu, Tehsil Udhampur whereas the fee realized at Jammu and Udhampur is Rs. 3 per annum?

(*b*) If the answer be in the affirmative, are Government prepared to charge the fee at the rate of Rs. 3 per annum for the Gharats at Janganu also? If not, why not?

THE HON'BLE RAI BAHADUR PANDIT RNANT RAM : (*a*) Yes.

(*b*) The member Praja Sabha is referred to reply to Q. D. No. 500 of the March-April Session 1936.

415. WAZIR GANGA RAM : Will Government please state as to how many lives were lost in the Nullah Ans near village Arnas and have Government provided any funds in the current year's budget for constructing a bridge over this Nullah?

THE HON'BLE MR. WAJAHAT HUSSAIN : An amount of Rs. 15,000 has been demanded in the next year's budget for the construction of a bridge on Nullah Ans.

416. LALA HANS RAJ : Is it a fact that Gharats at Janganu, Tehsil Udhampur have been washed away by the river Tawi and no grinding work is going on there, but the fee is realized as before?

If it is a fact, why no consideration was given to the applications of these poor people for the remission of the fee and why this sum has not been refunded?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) No.

(*b*) Does not arise.

417. PANDIT RAM CHANDRA DOBEY : Will Government please state as to how far and in what manner the action is being taken on the resolution passed in the last session regarding the teaching of Hindi to Hindu boys in schools?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Eight posts of Hindi teachers for boys primary schools have been pro-

posed from Baisakh 1994. These posts will be given to selected primary schools. Similarly, seven additional teachers for girls primary schools have been proposed and of these two will be Hindi teachers. For the future this programme will be repeated every year subject to the availability of funds, till such time as the necessity of Hindi teachers is felt.

418. YEBGO IFTIKHAR ALI KHAN : Has the Hon'ble Revenue Minister given consideration to my question No. 748 (Q. D. No. 846) asked on 7th April 1936 in the last session to the effect that literate youngmen from Baltistan who have studied upto primary or middle class, should be appointed on the posts of Patwaris and Girdawars? If not, why not?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Literate youngmen of Baltistan are already being appointed on the posts of Girdawars and Patwaris. There are at present three local Middle passed and one Primary passed Girdawars, ten local Middle passed and 61 Primary passed Patwaris, 2 Middle passed and 3 Primary passed local men are also working as Zaid Patwaris in Ladakh Wazarat.

419. PANDIT GOBIND RAM KABU : Will the Government please state the reasons that stand in its way to revise the salaries of the teachers in Government employment? Is it not a fact that the Hon'ble Education Minister has been giving assurances of revising the salaries of the teachers for the last two years and nothing seems to have been done so far?

THE HON'BLE MR. WAJAHAT HUSSAIN : The question of revision of pay of all services has to be dealt with together.

420. LALA HANS RAJ : (*a*) The Government is well aware that last year the speeches of the members of the Praja Sabha regarding the scarcity of water in Illaqa Kandi were so impressive that as a result of these a sum of Rs. 30,000 was sanctioned in the current year's budget. Will Government please state the Illaqas where money was spent, the persons of the Illaqa concerned with whose consultations it was spent and the amount spent upto the present time?

(*b*) In case the answer be in the affirmative, the details of the expenditure and the names of the persons with whose consultation the money was spent may please be stated?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Out of Rs. 30,000 a sum of Rs. 22,000 was spent through the Public Works Department. The remaining amount of Rs. 8,000 plus an additional sum of Rs. 9,500 was utilized for repairs etc. to existing tanks and wells through the Revenue Department. In addition to this another sum of Rs. 5,000 was placed at the disposal of Public Works Department for construction of a well. It will thus appear that a total sum of Rs. 27,000 was spent through P. W. D,

and Rs. 17,500 through the Revenue Department. As regards details, the Praja Sabha Sad is referred to reply to Q. D. No. 288 of this session.

(*b*) The money utilised by the Revenue Department was spent in consultation with local Committees set up for the purpose.

421. PANDIT JIA LAL KILAM : Will Government please state as to how many foreign scholarships (*i. e.* scholarships for training in countries other than India) were sanctioned and awarded by the Government since the year 1932?

Did any of such scholarships go to a Kashmiri Pandit or some other Hindu?

NOTE.—The question was withdrawn by the member with the permission of the House.

422. SARDAR KANHAYA SINGH : Will Government please state whether Arur Singh, Lambardar of Illaqa Chhamb, (Bhimber) was appointed Zaildar on the recommendations of the local officers for this reason that he was an influential, loyal and an honest man?

Is it a fact that the higher officers have removed him from Zaildarship and this has caused excitement among the Sikhs of this Illaqa because in view of their population and other circumstances, there ought to have been at least four Sikh Zaildars in this Illaqa? Will Government consider this matter and will the higher authorities reconsider his case? Will Government sympathise with the Sikhs by reinstating Arur Singh on the post of Zaildar?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Yes; he was appointed Zaildar temporarily by the then Governor Jammu.

(*b*) Yes; this was done under orders passed by the then Revenue Minister on the appeal preferred by one Hari Chand. There was nothing unusual in this. Every body has the inherent right of appeal which Hari Chand exercised. Arur Singh's revision and review applications submitted by the Sardar to His Highness the Maharaja Bahadur have also been rejected. As such his case cannot be reopened now.

423. HAJI AHMEDULLAH SHAHDAD : (*a*) Is it a fact that according to the recommendations of the Glancy Commission it is necessary that the sacred places, which are in the possession of the Government or some other non-Muslims, should be delivered to the deserving community?

(*b*) Is the "Khankah" of Mir Hamdan which is a sacred place and a mosque, in the possession of the Government?

If the reply be in the affirmative, will Government please state why the above place has not been handed over to Muslims?

NOTE.—The question was withdrawn with the permission of the members of the House.

424. MALIK GHULAM HUSSAIN : (*a*) Is it a fact that the Moharrir of Kahcharai of Illaqa Reasi is appointed on the boundary

of Tehsil Kulgam to realize the Kahcharai fee of Illaqa Reasi?

(*b*) If the answer be in the affirmative, why has he been posted within the limits of Tehsil Kulgam four miles away from his jurisdiction, realizing Kahcharai fee for the cattle that the travellers carry along with them to Tehsil Kulgam?

(*c*) Under what law is the said Moharrir realizing such fee?

(*d*) If such an act of the said Moharrir is against law, will steps be taken to stop such irregularity?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Yes.

(*b*) and (*c*) Not 4 miles but only $1\frac{3}{4}$ miles away from the boundary of Reasi Tehsil. This is a very suitable place for realizing Government dues from cattle passing from the Jammu to the Kashmir Province as different routes pass through this point. In view of these considerations, the barrier post has been fixed at this place. Shifting of the post would increase smuggling and cause loss to Government. No tax is realized against rules or from travellers to Kulgam Tehsil. Kahcharai rules are strictly enforced and no complaint has been received regarding unlawful collections.

(*d*) Does not arise.

425. PANDIT JIA LAL KILAM : Will the Government please state the amount of money that has been sanctioned for distribution in the shape of scholarships to the students of depressed classes since the year 1932? How much has actually been paid to them?

THE HON'BLE MR. WAJAHAT HUSSAIN : Budget provision Rs. 6,400. Further information has been called for and will be supplied to the member later on.

426. MALIK GHULAM HUSSAIN : (*a*) Is it a fact that the assessed areas of Khuli Town of Tehsil Kulgam due to its being adjacent to the Rakh is exposed to damage by the wild beasts?

(*b*) Is it also a fact that the zamindars have stopped cultivating it for about ten years on account of this damage and that consequently such areas are lying waste.

(*c*) Is it also a fact that the zamindars have applied for the grant of rebate of the revenue for such areas?

(*d*) If the answer to the above be in the affirmative, why is not the land-revenue of such areas remitted?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Yes.

(*b*) Yes, they have stopped cultivation but not for reason of exposure to damage by wild beasts but because zamindars have more land and less population and they cannot cultivate the whole land and also due to the low productive capacity of the soil.

(*c*) No.

(*d*) Does not arise. Besides at the time of the Settlement, these lands have been assessed at half rates in view of the damage which they are likely to suffer from wild beasts owing to proximity to Rakh.

427. SARDAR KANHAYA SINGH : Is it a fact that on the 28th July 1936, a State employee went to a village in circle Achhla, Tehsil Baramulla for vaccinating and that he realized from the zamindars one anna for vaccinating each child; and Dr. Saran Singh, M. B., B. S., and Dr. Bhajan Singh, M. B., B. S., submitted a complaint in this behalf to the higher officers?

Will Government state as to what action was taken against that employee when most of the zamindars do not get themselves vaccinated for fear of paying one anna?

THE HON'BLE MR. WAJAHAT HUSSAIN : No.

SARDAR KANHAYA SINGH : Was no complaint submitted? The reply is 'no'. What should I understand from it?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : No complaint was submitted.

428. COLONEL ABDUR REHMAN : (*a*) Will Government please state as to whether Sunday is also included in the leave, if a civil servant applies for leave for Saturday or Monday and thus the leave is taken to be for two days?

(*b*) If the answer be in the affirmative, what are the reasons therefor?

CAPTAIN KANWAR HIRA SINGH : (*a*) Yes. Attention of the member is drawn to Article 133 (*a*) of the Kashmir Service Regulations and para. 664 of the Audit Manual.

(*b*) The member is referred to the reply given to S. No. 439 on 26th March 1936.

429. LALA HANS RAJ : (*a*) Are the Mahajans of Bhadarwah entered as Jagirdars and zamindars in the Settlements of the years 1908, 1913, 1937 and 1974?

(*b*) Is it a fact that in accordance with the orders of the Hon'ble Revenue Minister regarding the Mahajans of Bhadarwah it has been established after an inquiry that 51 per cent. of them depend upon agriculture for their livelihood?

(*c*) If the answer be in the affirmative, on what grounds have their application for being declared as agriculturists been rejected as against facts?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) No, not as Jagirdars but only as Malguzars. No Mahajan of Bhadarwah is Jagirdar. On family holds Muafi.

(*b*) No. On the other hand, Governor Jammu has reported that as majority of these Mahajans depend upon trade etc. as the chief source of livelihood, they cannot be recommended for inclusion in the list of agricultural classes.

(*c*) In face of reply under (*b*) above, this part of the question does not arise.

430. PANDIT JIA LAL KILAM : Will the Government please state :—

(*a*) If twenty-two Darbar sanctioned work-charge employees of the Public Works Department were retrenched in the year 1989?

(*b*) If the Absorption Committee recommended their absorption against certain vacancies that were then reported as existing by various Heads of Departments?

(*c*) If the recommendation of the Absorption Committee mentioned in part (*b*) above, was accepted by His Highness the Maharaja Bahadur?

(*d*) If the answer to (*a*), (*b*) and (*c*) be in the affirmative, is it a fact that at the time of the recommendation of the Absorption Committee referred to in part (*b*) above, some employees out of the 22 employees mentioned above, were recommended for absorption in Home Portfolio? If so, what was their number? Did any vacancies exist in the Home Portfolio at the time of the recommendation? If so, what posts had fallen vacant and what were the qualifications of the retrenched employees recommended for absorption in Home Portfolio ? How many of such employees have been absorbed in the Home Portfolio, and how many are unprovided still? How many posts have since the year 1989 Bikrami fallen vacant? What were their emoluments and what qualifications were necessary for the persons to be appointed on those posts and who have actually been appointed of those who were recommended by the Absorption Committee in the year 1989?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) Nineteen men were retrenched.

(*b*) Yes.

(*c*) Yes.

Portfolio was eight. Yes, eight vacancies existed at the time that Portfolio was eight Yes, eight vacancies existed at the time that a report was made, but they were reduced to five when the recommendation of the Committee was made. The following vacancies were reported to the Committee :—

1. English Clerk, Pratap Press Srinagar.
2. Clerk Technical School, Bhadarwah.
3. Telephone Operator, Jammu.
4. Line Inspector, Srinagar.
5. Singnaller.
6. Telephone Sub-Inspector.
7. Sub-Inspector Telegraphs.
8. Clerk for Wireless.

Of these three 6, 7 and 8

having been made for them and three required technical qualifications. The following persons were recommended by the Absorption Committee :—

Name.		Qualifications.
1. Dina Nath	...	Non-Matriculate.
2. Mahishar Nath	...	Do.
3. Amar Nath	...	Do.
4. Prem Nath	...	Do.
5. Tara Chand	...	Matriculate.
6. Vidh Lal Manvati	...	Non-Matriculate.
7. Nand Lal Parimoo	...	Do.
8. Suraj Ram	...	Do.

Two of them were absorbed and six remained un-employed. I regret I can give no reply to the question as to how many posts have fallen vacant since 1989 and what their emoluments are until the department or departments to which the member refers is specified. If the whole of the Home Portfolio is meant the vacancies have been so large and so dissimilar in the qualifications that are necessary for them that no definite reply can be given.

PANDIT JIA LAL KILAM : You have stated that three men have been absorbed, but the remaining five have not so far been provided. I want to know why these four men have not been provided during the last four years?

THE HON'BLE MR. WAJAHAT HUSSAIN : There were no vacancies for them.

PANDIT JIA LAL KILAM : Many posts fell vacant.

THE HON'BLE MR. WAJAHAT HUSSAIN : Firstly they had no qualification and secondly there was no vacancy.

PANDIT JIA LAL KILAM : But they have already been recommended for 8 posts which you have yourself told me. When the Government orders were that they may be appointed to 8 posts which you have mentioned just now, why were they not posted?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : A detailed reply has been given.

431. SARDAR KANHAYA SINGH : In reply to my question

Prime Minister stated that the number of the Sikh Gazetted officers up to the 10th April, 1931, was 12, and it rose to 13 by the 20th February 1934; and similarly the number of the non-Gazetted Sikh officers during this period rose from 267 to 311.

Will Government state as to what addition was made in the number of the non-Sikh officers and the Sikh Gazetted officers from 1932 to 1936?

A list of the non-Gazetted Sikh employees and the Sikhs in the menial staff be separately prepared and it may also please be stated as to what amount falls to the share of the Sikh Gazetted officers?

CAPTAIN KANWAR HIRA SINGH : (*a*) The number of Sikh Gazetted officers rose from 14 to 15 during the period referred to and that of non-Sikh Gazetted officers rose from 341 to 346.

(*b*) No list of non-Gazetted employees by communities are being maintained and no exception can be made in favour of the Sikhs alone.

(*c*) The information will be available from the Civil and Military List which may be referred to.

SARDAR KANHAYA SINGH : You have referred me to the Civil List. If the information were given in this House, everybody would come to know of it and my purpose would also be served.

CAPTAIN KANWAR HIRA SINGH : The Civil List is published every year. You can see it.

432. MALIK GHULAM HUSSAIN : (*a*) Will the Hon'ble Revenue Minister please state whether enquiry has been made in accordance with the reply given to the question No. 559 (Q. D. No. 735) asked on 30th March 1936 in the last session of the Praja Sabha?

(*b*) If the answer be in the affirmative, will it please be stated as to which of the villages were found to be within three miles from the boundary of the forest?

(*c*) Is it a fact that the zamindars belonging to the villages situate within three miles, were directed to file a revision petition for obtaining rights in the forests?

(*d*) If the answer to (*c*) above be in the affirmative, will the Hon'ble Revenue Minister please state as to why should the burden of expenses to be incurred in conducting the case of correcting the mistakes, be thrown upon the zamindars? Why should not the department itself revise its mistakes?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Yes.

(*b*) The following villages were found to be within three miles of the forest boundary :—

Poniu, Shahu, Shachan and 4 Devsers.

(*c*) and (*d*) The Chief Conservator of Forests has been directed by the Revenue Minister under his order No. 1116, dated 17th June 1936 to issue orders to the Divisional Forest Officers concerned to look into the demarcation files pertaining to these villages and re-

port after going into all necessary details in the manner prescribed in the Demarcation Rules. On receipt of report necessary orders will be passed. The zamindars have not to put in a revision application and thus they will have to bear no expenses in this connection.

MIRZA M. A. BEG : Will the Forest Officer be reminded.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : He has been reminded.

KHAWAJA AKBAR DAR : Have orders been issued for such villages in all tehsils or for these three villages only?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : For these villages only which have been mentioned in the question.

KHAWAJA AKBAR DAR : There are such villages in other tehsils also.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : This is a new question.

433. HAJI AHMEDULLAH SHAHDAD : Is it a fact that a year and a half ago the Government had accepted a resolution of the Praja Sabha, during the session held at Jammu for digging and repairing the Nalamar and that an amount of Rs. 1,500 was provided in the last year's budget for the survey of the Nullah? If the reply be in the affirmative, are Government prepared to place before the House the result of the said survey and the estimates of the expenses for the work?

Will Government please explain as to when the work of digging and repairing of the Nullah will be taken in hand? If not, why?

THE HON'BLE MR. WAJAHAT HUSSAIN : The survey of the Nullah has been completed and an estimate for the work is under preparation.

MIAN AHMED YAR : Who is preparing the estimate.

THE HON'BLE MR. WAJAHAT HUSSAIN : Divisional Engineer.

MIAN AHMED YAR : How long will it take.

THE HON'BLE MR. WAJAHAT HUSSAIN : I shall enquire of him. He has asked for 8 months' time.

434. MAJOR MIRZA ATA MOHAMMAD KHAN : (*a*) In reply to my question No. 508 (Q. D. No. 381) asked on 28th October 1935 in the last Srinagar session, the Government consented to establish a nursery garden in Reasi. Has the reply from the Government Jammu been received? (*Vide* page 120 of Volume III-A Part II of the Jammu and Kashmir Praja Sabha Debates).

(*b*) If the answer be in the affirmative, will these orchards be seen converted into nursery gardens? If not, why?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) and (*b*) The Government have since sanctioned funds for opening of a farm and nursery at Reasi in the Budget for 1993-94.

The question of converting State Gardens in Reasi will be

taken up after the Farm and Nursery are established there.

435. COLONEL ABDUR REHMAN : (*a*) Will Government please state as to why a fee of one rupee is charged from the students living in the boarding house when no servant is provided for them in the boarding house, on account of which the students are undergoing difficulties in acquiring education?

(*b*) The water-carrier is provided only for six months in summer. Is there no necessity of water supply in winter?

(*c*) Is it a fact that due to this, much of the time of the students is wasted in going out for drinking water?

THE HON'BLE MR. WAJAHAT HUSSAIN : (*a*) Hostel fee is not charged for engaging servants, but for meeting the rent of the Boarding House, the cost of furniture and the pay of the Superintendent.

(*b*) Two whole-time menials for supplying drinking water are provided for the High School at Udhampur in addition to a part-time waterman.

(*c*) No. not to my knowledge.

436. MALIK GHULAM HUSSAIN : (*a*) Are Government aware that the bridge to cross the Nullah "Veshu" at Dumhal Hanjipura Mahabal, in Illaqa Narwav, Tehsil Kulgam, has been washed away on account of floods and the people are experiencing great inconvenience in the absence of bridge over there?

(*b*) If the answer be in the affirmative, Will Government arrange for the construction of a bridge over this Nullah and thus remove the difficulties of the people?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) Yes.

(*b*) Steps are being taken to construct a bridge over this Nullah.

437. SARDAR KANHAYA SINGH : Is it a fact that in many sessions of the Praja Sabha, questions have several times been asked for the Baramulla and the Chikar boarding houses and every time the Government gave an assurance of giving sympathetic consideration and help? Has any sum been provided so far for these boarding houses where the Hindu and the Sikh students are receiving educational facilities, comfort and protection, when officers of the Education Department(particularly the Director of Education) have, from time to time expressed their opinions in this behalf? Is it a fact that the Hon'ble Prime Minister while on tour in Baramulla, himself paid a visit to this boarding house and assured the Sikh representatives of his help? Have Government put this assurance into practice? If the answer be in the affirmative, it may please be stated as to when would this help be given?

THE HON'BLE MR. WAJAHAT HUSSAIN : Yes, but no assurance of help was given. No money has been provided for

Chikar as no building grant is given at present I find after further enquiries that under the existing rules no grant-in-aid is given to a hostel which is not attached to an aided school. I regret that in a previous reply I failed to make this point clear Then, however, the Government gives building grants to aided schools, I am prepared to recommend the case of Chikar.

The Hon'ble Prime Minister saw the building from a distance but was not able to visit it owing to the number of other visits fixed for that day in Baramulla.

SARDAR KANHAYA SINGH : My submission is, Sir, whether the Hon'ble Prime Minister promised sympathetic consideration to the Sikhs or not?

THE HON'BLE LIEUTENANT COLONEL E. J. D. COLVIN : I promised sympathetic consideration and I asked the Home Minister.

SARDAR KANHAYA SINGH : Sir, I did not hear the reply of the Hon'ble Prime Minister.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : He says he promised sympathetic consideration and asked the Home Minister.

438. MAJOR MIRZA ATA MOHAMMAD KHAN : (*a*) In reference to my question No. 401 (Q. D. No. 441) asked on 26th March 1936, will the Hon'ble Revenue Minister please state whether for the purpose of giving Cheel trees, the Forest Department, Mirpur Division is dividing the forest into Chaks which are less distant than before?

(*b*) If so, what are the reasons for not agreeing to the previous Chak-bandi?

(*c*) Are Government aware that unless the zamindars are granted trees at the previous rates, according to their own wish for building their houses, their needs cannot be fulfilled?

(*d*) If the answer to this be in the affirmative, will Government issue orders to the Forest Department to the effect that whether trees are marked or not they should be granted at the previous concession rates to the zamindars according to their selection?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) This question is not understood. The practice is to mark trees in advance in the forests in which concession is admissible. In marking the trees every care is taken to see that the trees marked are silviculturally available and are fit and sound.

(*b*) Kindly see reply against (*a*) above.

(*c*) Concessionists are allowed trees at the concession rates in force but they cannot claim any selection as this is against the principle of the forestry which is to be observed in accordance with para. I (*b*) of the Jammu Forest Notice.

(*d*) The concession rates have recently been reduced from

12½ per cent. to 6¼ per cent. standard rates and not enhanced, hence the question of previous rates does not arise.

MAJOR MIRZA ATA MOHAMMAD KHAN : Why did the Forest Department give trees to the zamindars according to their choice formerly?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : The system for grant of trees to the zamindars is that the officers mark the trees that are fit for felling. The trees are again marked for being given to the concessionists, and are given to them one by one. This practice cannot be departed from. The concessionists cannot make their own choice because the Forest Department is to be guided by silvicultural rules in felling trees.

MAJOR MIRZA ATA MOHAMMAD KHAN : Trees were given according to choice before, what will be done in future?

SARDAR KANHAYA SINGH : If defective trees are given to the zamindars, will they be granted any concession in price?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : How can this question arise?

MAJOR MIRZA ATA MOHAMMAD KHAN : The system generally followed was that the zamindar selected a tree which was given to him, in other words trees were given according to choice.

PANDIT JIA LAL KILAM : Point of order, Sir. Two Hon'ble Members cannot speak at one and the same time.

MR. M. A. BEG : And now a third has stood up. (Laughter)

MIAN AHMED YAR : Can the zamindars get trees according to their choice from amongst the 'marked' trees?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Trees are given according to prescribed rules.

439. HAJI AHMEDULLAH SHAHDAD : In connection with the question No. 389 (Q. D. No. 423) asked on 23rd October 1936 (*Vide* page 7 of Volume III-A, Part II of the Jammu and Kashmir Praja Sabha Debates), will Government please state whether the medicines provided in the hospitals are tested or not? Is any special officer appointed for the purpose? If so, are Government prepared to place before the House the results of such tests? If not, why?

THE HON'BLE MR. WAJAHAT HUSSAIN : No. Government has no Laboratory in which mixtures could be tested. It would be very costly to maintain one for this purpose and would not be justified.

KHAWAJA GHULAM MOHAMMAD SADIQ : Has the Hon'ble Home Minister prepared any estimate?

THE HON'BLE MR. WAJAHAT HUSSAIN : Of all others you alone can prepare the best estimate.

440. MALIK GHULAM HUSSAIN : (*a*) Is it a fact that the area under the same Khasra No. 626 of the village N

sil Kulgam) and being assessed to land-revenue of Rs. 6/11/- has been entered in the name of two different Assamis Khaliq and others, and Rahim and others and the land-revenue for the same area is being realized from both these Assamis?

(*b*) If the answer be in the affirmative, will the Hon'ble Revenue Minister please state as to why land-revenue is being charged from two different persons for the same plot of land?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : (*a*) and (*b*) In the Khasra No. mentioned by the member Praja Sabha, there are fruit trees and cultivated land and revenue is levied separately on the trees and the land. And as two different parties are in enjoyment of the produce of the trees and the land, both of them pay revenue.

MR. M. A. BEG (For Malik Ghulam Hussain) : According to what rule is the land-revenue charged for the land as also the trees standing on it? The member wants also to know why land-revenue for the same plot of land is recovered from two persons?

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Land-revenue is not realized from two persons separately. The land stands in the name of one man and the trees in the name of another. Revenue is not assessed separately, but is only divided between the two persons. Such revenue is recovered from the person who has the possession of the trees.

MR. M. A. BEG : Is it governed by any rule?

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : This is done according to rules, he says.

441. *Information promised in reply to question No.* 421 (*Q. D. No.* 549) *asked on the 26th March* 1936 *by* :—

SHEIKH MOHAMMAD AMIN : Is it a fact that non-Muslim Khidmatgars are appointed in the hospitals of the Medical Department in Jammu Province?

If the answer to the above question be in the affirmative, will the Hon'ble Home Minister be pleased to state how many posts of Khidmatgars fell vacant or were created in the hospitals of Jammu Province and how many Muslims and how many non-Muslims were appointed on them during the years 1990-91 and 1991-92?

THE HON'BLE MR. WAJAHAT HUSSAIN : In the year 1990-1991 and 1991-92, 12 and 4 posts of Khidmatgars fell vacant. All Hindus were appointed to these posts.

SHEIKH MOHAMMAD AMIN : What are the reasons for not appointing any Muslim?

THE HON'BLE MR. WAJAHAT HUSSAIN : There is no special reason.

SHEIKH MOHAMMAD AMIN : Will the appointment of Muslim Khidmatgars be considered in future?

requiring the appointment of Muslim Khidmatgars.

NOTE.—After the replies to the questions were over and Budget Resolutions taken up, all the elected members except Pt. Amar Nath Kak and Pt. Dev Raj walked out. Mr. Jagat Ram the nominated member also walked out.

BUDGET RESOLUTIONS.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Resolution No. 1 !

PANDIT HIRA NAND RAINA (Secretary Praja Sabha) : Sir, the mover of this resolution Sheikh Mohammad Amin is absent.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The resolution is taken to have been withdrawn under Rule 72 (2).

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Resolution No. 2 !

NOTE.—The following resolution of Lala Ram Lal was read out by the Assistant Secretary :—

"This Praja Sabha recommends to the Council that the expenditure over the demarcation establishment of Poonch Illaqa be reduced by Rs. 8,000.

LALA RAM LAL : Hon'ble President ! The study of the Poonch budget shows that there is no separate item for demarcation. There is no doubt, and the House knows it full well, that the Government does not pay any attention to Poonch matters. The people of Poonch are not treated well. This is a fact to which I want to direct the special attention of the Poonch members. The Hon'ble Finance Minister's speech on the State budget contains no mention of Poonch budget, which is a part of the farmers. No details have been given about Poonch, nor have the estimates of income been supplied.

A promise was held out in the last session that the detailed budget would be placed before the House in future, but we find no details about Poonch. To quote an instance, I submit, Sir, that the Poonch budget gives eighty items of income but we know little about the nature and source of income. The same is the case with the second item, namely 'Wazarat Establishment'.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : The question is about demarcation.

LALA RAM LAL : My resolution pertains to Poonch budget about which I will speak.

No figures have been given in the budget which would show the establishment. The expenditure incurred on 'Wazarat Establishment' is Rs. 29,000, but the salaries drawn by the Wazir, the Head Clerk or the other clerks have not been given nor is their number known to us On seeing this one cannot help asking why this amount has been provided in the budget and how it is spent? What is the salary of the Superintendent of Police or other officials? We know nothing about it. This is the condition of our budget and it cannot be gain said that we are given no opportunity to discuss it.

The Hon'ble Finance Minister has made no mention of the Poonch budget in his speech, nor has the Wazir of Poonch made any speech. The figures given in the Poonch budget show that it has been placed before us in the form of an abstract giving income and expenditure. We fail to understand why Poonch is treated differently. In view of these facts I submit, Sir, that nothing would be far from justice than to sanction the budget in the present form because eighty items of income have not been shown in it at all, although a promise was made that the budget would be presented in a detailed form. Figures, showing establishment, have not been given, wherefore no enquiry can be made about the number of employees and their salary. We cannot call this a budget. It is only a heap of papers showing income and expenditure. Such a budget should never be sanctioned.

The replies given to our questions and the budget shows that there is a deficit of one lakh in the Poonch budget and there are no means to meet it. The budget is not therefore praise-worthy at all. We can only say that the budget is being got sanctioned under compulsion for we can learn very little from it. While replying our questions the Wazir stated that our demands could not be satisfied because of financial stringency. He is correct. There is a deficit of one lakh in the Poonch budget.

We expected that Poonch would flourish under the patronage of the Durbar and the people would prosper. But now we are constrained to remark that the responsibility for this deficit in the Poonch budget falls on the Durbar. The main cause of the deficit is the huge allowances that have to be paid to the officers, whose services are lent to the Poonch Illaqa by the Durbar. It is the duty of the Durbar to take the financial condition of the Illaqa into consideration.

I submit, Sir, that formerly when there used to be a surplus of twelve or thirteen thousand rupees in our budget, the Wazir's salary never exceeded one thousand, and the Chief Judge was never paid more than five hundred rupees. The Subordinate Judges and the Munsiffs were similarly never paid more than Rs. 300, Rs. 200 and Rs. 100. It is a point worth consideration that at present when we have a heavy deficit in the budget, the Wazir draws Rs, 1,100 and the Chief Judge Rs. 700 a month. The Wazir's salary in the State is Rs. 600 and that of the Chief Judge Rs. 340.

What I mean to stress is that officers who draw a salary of Rs. 250 in the State, when sent to Poonch as 'lent officers' are paid Rs. 500 there. The Durbar should have regard for the fact that the people of Poonch are also like the other subjects of the State, and when no income can be raised there, why should that small Illaqa be so much over-burdened.

It was stated in reply to one of my questions that the lent

officers are paid allowances at the rate of 64 per cent. in the State and in Poonch they get 66 per cent. My submission is why are the officers whose services are lent to the Poonch Illaqa by this State paid so huge allowances, when Poonch is only a part of this State and not a frontier or a remote place. Why should these officers be paid more than 10 per cent. or 15 per cent. The Chief cause of our deficit is this and the Durbar is responsible for it.

We are not allowed to put supplementary questions in the House nor are the replies given to our questions based on facts.

The Wazir's salary is Rs. 600 here, while he draws Rs. 1,100 in Poonch. So his allowance is 85 per cent. and not 64 per cent. Similarly the Chief Judge, whose salary is Rs. 340 here, gets Rs. 700 there. His allowance is therefore 105 per cent. Raja Sarwar Khan used to get Rs. 250 here and is paid Rs. 400 there, which shows that his allowance is 60 per cent.

If the Durbar has any sympathy for Poonch, it should not be difficult for them to realize that it is not proper to pay such fat salaries which are becoming an unbearable burden for the Illaqa and are responsible for the deficit.

I would also like to submit that the Chief Educational Officer and the Chief Medical Officer used to get an allowance of fifty rupees each at first and this was reduced to Rs. 30 later. The allowance of the Chief Educational officer has again been raised to Rs. 50 but the demand for grant-in-aid for a Putri Pathshala has been turned down by pleading lack of funds, although the Poonch Government has opened no Putri Pathshala so far. Our questions are evaded, and their very purpose is defeated. It is difficult to provide some grant-in-aid for the Putri Pathshala but the Head Masters are paid huge allowances.

The Chief Medical Officer, who is discharging the duties of the Superintendent of Jails also, continues to get an allowance of thirty rupees, which has not been increased. But the allowance of the Chief Educational Officer has been increased from thirty to fifty rupees, though he has not raised any primary school to the Middle standard nor has so far made any such scheme successful. This being the case, we fail to understand the discrimination in the matter of allowances of these two officers.

LALA SHIV NATH NANDA : You had to say something about the Demarcation officers. Please speak something about your resolution also.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You could have said all this at the time of the general discussion.

LALA RAM LAL : I am sorry we had no opportunity to speak after the general discussion when the Government replied. If the Hon'ble President had given us an opportunity I would certainly have spoken.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : You could also speak at the time of the general discussion.

LALA RAM LAL : The Hon'ble Finance Minister made no mention of Poonch in his speech on the State budget. Therefore I thought that the general discussion was no occasion for me to speak about Poonch, and so I made no speech about the budget at that time.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : What about your resolution?

MAJOR-GENERAL RAO BAHADUR THAKUR JANAK SINGH JI : He has proposed a token cut !

LALA RAM LAL : I shall finish it up in two minutes, Sir. I have been asking about grant-in-aid for the Putri Pathshala from the very outset. In the first two sessions the demand was rejected on grounds of financial stringency, but in the third session it was stated that the matter would be considered and information supplied. But nothing was done. We have a deficit budget again, and in the next session a promise will again be made for the consideration of the matter. This state of affairs will continue and the matter will never receive any consideration.

Let me submit something about my resolution now. The Poonch budget has, no doubt, been placed before the House, but it contains no item showing income from or expenditure over any department.

LALA SHIV NATH NANDA : Please say something about the resolution also.

LALA RAM LAL : The expenditure over the demarcation establishment is Rs. 14,000. It has not been shown separately in the budget, but has been included in the expenditure over 'Forests'. A revenue officer of the State has been deputed to Poonch as Demarcation Officer. His pay in the State is Rs. 250 but there he is paid at the rate of Rs. 400 per month in addition to Rs. 62/8/- contributed to the Pension Fund. A Range Officer drawing two hundred and fifty rupees in the State is paid three hundred and fifty rupees in Poonch, besides Rs. 62/8/- that have to be contributed to the Pension Fund. The total expenditure over the salaries of these two officers is Rs. 10,572. There are also four peons who are paid at the rate of ten rupees per month and an amount of three thousand rupees is spent over travelling allowances. This brings the total to above fourteen thousand a year. If the same work were entrusted to a Tehsildar or Range Officer of the Illaqa and a Revenue officer attached with them, the expenditure would come to six thousand only and the work would also be done well. At present we are spending fourteen thousand in place of six, and yet the work of demarcation is done by the Poonch establishment,

that is, by the Tehsildar, the Girdawar and the Patwaris who set up the boundary pillars. The officers tour in the Tehsil for about ten days and then return to the head-quarters. Demarcation work was conducted in Poonch even before this and was done by big officers of the Illaqa, but the expenditure was comparatively less.

These lent officers took up this work two years ago and said that it would be finished in two years' time, but not a single file has been completed during this period. The period for which the services of these officers were borrowed has thus ended and now it is stated that the work will take seven years. The expenditure will thus be about a lakh of rupees but the budget already shows a deficit of this amount. About a lakh of rupees shall have to be spent on demarcation during these seven years. This means a huge amount. I would therefore request the House that the resolution should be accepted. We can entrust the work to the Tehsildars, who have done it in the past. A Tehsildar of Poonch can be employed for this purpose and the expenditure will then be about eighty rupees a month. We have also a Range Officer who has qualified himself in Dhera-Dun, and about whom the Conservator of the State has remarked that he is a much experienced and suitable Forest officer. The total expenditure, including the salaries of peons etc., which will amount to about sixty rupees, will be one hundred and forty rupees. In this way the annual expenditure will be Rs. 2,400 instead of Rs. 14,000. The Wazir has stated that the Revenue officer that is the Chief Revenue Officer is also employed over this work. It shows that the bargain is a very bad one for us.

Tehsil Mendhar is at a long distance from Poonch proper, where the Range Officer and the Chief Revenue Officer have their head-quarters. They get travelling allowance for journeys from and back to the head-quarters. After travelling for fifteen days, they come to the head-quarters in the city and charge mileage and when they do not travel, they charge daily allowance at the rate of three rupees a day. This work, which is at present done by the Range Officer and the Chief Revenue Officer of the State costs us Rs. 14,000, but if we take it up ourselves the expenditure will come to Rs. 2,400. A Tehsildar could be appointed as Chief Revenue Officer at a salary of two hundred and fifty rupees and along with the other establishment the expenditure would come to Rs. 3,600. This amount together with Rs. 2,400 on account of demarcation expenses would bring the total to Rs. 6,000, which would mean a saving of eight thousand rupees per year.

There is a Nullah known as 'Betarh' near Poonch. It has no bridge and is crossed by means of a swing. Eleven deaths occurred at this place during one year and numer-

ous cattle are washed away. Loss of life and property occurs but the Poonch Government does not pay any attention to the matter. The Nullah is quite close to Poonch and if the Government does not consider this important, I fail to understand what else is important. Nothing is said about these works and it is not known when they will be completed. The bridge will cost us only ten or twenty thousand rupees and we need not spend half a lakh over it. It will remove many difficulties. The responsibility for heavy expenditure on the full salaries of the lent officers falls on the Kashmir Government. We could do other important work, for instance construct bridges, with the same amount.

The financial condition of Poonch is becoming weak and the Illaqa can hardly bear this heavy expenditure. The income is ten lakhs and the expenditure on salaries is five lakhs, which is in addition to what is spent on travelling allowance etc. It goes without saying that the legitimate demands of the public are rejected mercilessly. This is a day when I want to test how the Government will reject this legitimate demand of the public.

When the elected members 'walked out', Sheikh Abdul Hamid remarked that a soldier should not run away from the field but should fight with perseverance. I will therefore see what attitude will be adopted about my resolution. Though I have got no time at my disposal, yet I wish to impress upon the House clearly that the Poonch Illaqa is not prepared to bear this heavy expenditure.

With these words I close my speech and appeal to the House to consider my resolution. The Government should also support this legitimate demand. I hope that my resolution will be accepted.

SARDAR HARI SINGH : Sir, Lala Ram Lal has dealt with many matters. I shall confine myself to demarcation only. I have been doing demarcation work as Assistant Officer for a long time in the time of Messrs. Talbot and Stove. I had with me a Range Officer whose salary ranged between sixty and hundred rupees. The Lala Sahib has stated that in Poonch there are officers who draw a salary of four hundred rupees per month. This work does not require officers with so high salaries. An Assistant Revenue Officer and a Forest officer can conduct this work easily in all the four tehsils. I was paid an allowance of only twenty-five rupees a month for demarcation work I therefore submit, Sir, that demarcation work can be done with a small allowance in Poonch.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Sardar Sahib ! Allowance is paid there also.

LALA RAM LAL : He has been trained abroad.

SARDAR HARI SINGH : With these words I close my speech.

LALA LAJPAT RAI : The figures quoted by Lala Ram Lal in this House show that the Poonch Illaqa is being burdened with the huge salaries paid at present. I, therefore support his resolution

and submit that an amount of eighty thousand rupees out of the sum provided in Poonch budget for demarcation should be reduced.

WAZIR FEROZ CHAND : Sir, I have read Lala Ram Lal's resolution carefully, and all the members have heard it. We have also listened to the speech delivered by the Lala Sahib. As regards the objection about the budget, I submit, Sir, that minor details will be supplied next year. This year we have given more details than we did last year and I promise that next year we shall give details just as is done in Kashmir

LALA RAM LAL : You gave a promise last year also.

WAZIR FEROZ CHAND : Coming to the resolution, I submit Sir, I have not been able to understand its import. The resolution presumes that an amount far in excess of eight thousand rupees is spent on Forest Demarcation establishment only, and a reduction of eight thousand rupees is recommended in the said amount. Facts are not so, because the total expenditure on demarcation is Rs. 6,660 of which Rs. 5,124 are spent on the salaries of the establishment. This shows that the resolution, if passed by the House, will lead to nothing but the total stoppage of the demarcation work. But it is difficult to believe that the resolution is designed to mean that, because the mover knows that this work is not only very necessary but is also demanded by all people in the Illaqa. It may, however, be stated for the information of the members that the amount originally estimated for this work has been reduced by half in the budget for the year 1991-92, by entrusting the duties of the Demarcation Officer to the Chief Revenue Officer in addition to his own duties, and he is paid an allowance of fifty rupees only for this additional work.

As for Sardar Hari Singh's statement that the expenditure is heavy in Poonch, I would like to tell him that this work was at first done by an original party and was subsequently completed by a separate party, which included officers like the Sardar Sahib and Pandit Dina Nath, who were drawing salaries at three hundred rupees a month. The work is being done very quickly in Poonch. Two Tehsils have been finished in two years. The Chief Revenue Officer's post is a permanent one, and he discharges the duties of the Revenue Demarcation Officer as well. It is not therefore out of place to say that the expenditure over the Revenue Demarcation establishment comes to fifty rupees a month. Including this amount, the expenditure over demarcation work along with the salaries of the establishment is Rs. 6,660.

In view of the reasons just stated there is no justification for the resolution and I hope that the mover will not therefore press it and I strongly oppose it.

LALA RAM LAL : I submitted, Sir,

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Anyhow he has shown that the expenditure is only Rs. 6,660.

LALA RAM LAL : It will take me only two minutes to submit, Sir that twelve thousand rupees are paid—six thousand from the Forest Department and six thousand by re-appropriation from the Revenue Department. The matter is thus shrouded and not shown clearly. We have, in fact, to pay fourteen thousand rupees. The State has not stated facts. The Range Officer is made to stay at the head-quarters and we are burdened with travelling allowance.

THE HON'BLE RAI BAHADUR PANDIT ANANT RAM : Hon'ble President ! Lala Ram Lal has laid much emphasis on the fact that the demarcation work in Poonch, is done through a Chief Revenue Officer and a Range Officer, whose salaries are excessive. The work of this department is of a technical nature and can be carried on properly by responsible officers only. It can be done by a Naib-Tehsildar or a Girdawar also, but that will lead to disputes and quarrels among the zamindars. It is therefore that the work is entrusted to responsible officers, who have also to decide the disputes that arise among the zamindars.

When this work was taken up in the State, a survey party comprising of officers of Naib-Tehsildar's grade, was appointed. The party was supervised by two officers one of the Wazarat grade and the other of the grade of Divisional Forest Officer. Even then if the Forest Department or the zamindar had any objection, an appeal could be preferred to the Collector. If the parties were still dissatisfied they could approach the Settlement authorities. If the work were entrusted to officers of lower grade only, the rights of many people would be transgressed. In view of this fact the allowance paid to the Chief Revenue Officer is not a heavy amount.

The second officer on duty is the Ranger, who gets full pay. The Chief Conservator of Forests has after satisfying himself fully, stated that the work is carried on properly. The work, if confined to officers of lower grade, would lead to the violation of the rights of zamindars and give rise to disputes. It has been undertaken simply for the benefit of the zamindars and any reduction in expenditure would, besides, defeating its very purpose, ruin the zamindars. The work, as at present conducted in Poonch, does not cost much. The expenditure in Poonch is much less than was incurred in the State, and reduction in it will, in no way, improve the lot of the zamindars.

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : Those in favour of the resolution will please raise hands.

(NOTE.—Hands raised).

Those who are against the resolution will please raise their hands. (Hands raised)

Resolution lost by show of hands.

NOTE.—The next resolution stood in the name oi Khawaja Akbar Dar, who was absent. The resolution was, therefore, taken to have been withdrawn under Rule 72 (2).

MR. PRESIDENT (The Hon'ble Sir Barjor Dalal Kt.) : There will be no second sitting today because to-day's business is finished.

The Praja Sabha then adjourned till Eleven of the Clock on Monday the 19th October 1936.

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